

1 REPORTER'S RECORD
2 VOLUME 33 OF 55
3 TRIAL COURT CAUSE NO. 1184294D
4 COURT OF APPEALS NO. AP-76,596
5
6 STATE OF TEXAS) (IN THE 432ND JUDICIAL
7) (
8 VS.) (
9) (
10 DISTRICT COURT OF
11) (
12 JOHN WILLIAM HUMMEL) (TARRANT COUNTY, TEXAS
13
14
15

16 *****
17 TRIAL ON THE MERITS
18 *****
19
20
21
22
23

24 On the 13th day of June, 2011, the
25 following proceedings came on to be heard in the
above-entitled and -numbered cause before the Honorable
Ruben Gonzalez, Jr., Judge Presiding, held in Fort
Worth, Tarrant County, Texas:

Proceedings reported by machine shorthand.

ANGIE TAYLOR, CSR, RPR
Official Court Reporter
432nd DISTRICT COURT

ORIGINAL

A P P E A R A N C E S

1

2

3 HONORABLE D. MILES BRISSETTE - SBOT NO. 50511628
4 HONORABLE ROBERT K. GILL - SBOT NO. 07961600
5 Assistant District Attorneys
6 401 W. Belknap Street
7 Fort Worth, Texas 76196
8 Phone: 817-884-1400

6

7

Attorney(s) for the State of Texas.

8

9

10 HONORABLE FRED CUMMINGS - SBOT NO. 05225400
11 HONORABLE LARRY M. MOORE - SBOT NO. 14357800
12 4210 West Vickery Boulevard
13 Fort Worth, Texas 76107
14 Phone: 817-338-4800

12

13 HONORABLE PAMELA S. FERNANDEZ - SBOT NO. 24045868
14 403 North Sylvania, Suite 11
15 Fort Worth, Texas 76111
16 817-831-3003

15

Attorney(s) for the Defendant.

16

17

18

19

20

21

22

23

24

25

1	<u>CHRONOLOGICAL INDEX</u>				
2	VOLUME 33				
3	TRIAL ON THE MERITS				
4	<u>JUNE 13, 2011</u>		<u>PAGE</u>	<u>VOL</u>	
5	Jury Sworn.....		8	33	
6	Jury Instructed.....		9	33	
7	Defendant's Plea.....		18	33	
8	Opening Statement by Mr. Brissette.....		19	33	
9	Opening Statement by Mr. Moore.....		56	33	
10	Rule Invoked.....		57	33	
11	<u>STATE'S WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>VOIR DIRE</u>	<u>VOL</u>
12	Audria Hastings	63	75		33
13	Constance Smith	77, 86	85		33
14	Lorie Lewallen	88,103 108	106	99	33
15	Whitnie Lee	111	131		33
16	Joshua Worthy	136,171 226	188,229	167	33
17					
18	Proceedings Concluded.....			231	33
19	Court Reporter's Certificate.....			232	33
20					
21					
22					
23					
24					
25					

1	<u>ALPHABETICAL WITNESS INDEX</u>				
2	<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>VOIR DIRE</u>	<u>VOL</u>
3	Hastings, Audria	63	75		33
4	Lee, Whitnie	111	131		33
5	Lewallen, Lorie	88,103 108	106	99	33
6	Smith, Constance	77, 86	85		33
7	Worthy, Joshua	136,171 226	188,229	167	33
8					

9	<u>EXHIBIT INDEX</u>				
10	<u>STATE</u>				
11	<u>NO.</u>	<u>DESCRIPTION</u>	<u>OFRD</u>	<u>ADMT</u>	<u>VOL</u>
12	1	Photo-Jodi Hummel	69	69	33
13	171	Photo-Crime Scene	182	183	33
14	172	Photo-Crime Scene	182	183	33
15	173	Photo-Crime Scene	182	183	33
16	174	Photo-Crime Scene	182	183	33
17	175	Photo-Crime Scene	182	183	33
18	176	Photo-Crime Scene	182	183	33
19	177	Photo-Crime Scene	182,184	185	33
20	178	Photo-Crime Scene	182	185	33
21	216	Civilian Photo-Fire	126	126	33
22	217	Civilian Photo-Fire	126	126	33
23	218	Civilian Photo-Fire	126	126	33
24	219A	DVD Orig. In-Car 47	*219	*220	33
25	219B	DVD Excerpts In-Car 47	175	175	33

1

EXHIBIT INDEX CONTINUED

2

STATE
NO.DESCRIPTIONOFRDADMTVOL

3

4

220A

DVD Orig. In-Car 51

*219

*220

33

5

220B

DVD Excerpts In-Car 51

175

175

33

6

220C

DVD Excerpts In-Car 51

228

228

33

7

220D

Clarified Audio Car 51

166

171

33

8

220E

Orig. In-Car 51

228

228

33

9

220F

Orig. In-Car 51

228

228

33

10

221

Kennedale Police Dept.
#51 Still Image

182

182

33

11

222

Kennedale Police Dept.
#51 Still Image

182

182

33

12

13

224

Delaney Nurse's Log

83

83

33

14

264

Huddle House Still Img.

98

101

33

15

265

Huddle House Still Img.

98

101

33

16

266

Huddle House Still Img.

98

101

33

17

267

Huddle House Still Img.

98

101

33

18

268

Huddle House Still Img.

98

101

33

19

319

Map of a Portion of
Kennedale-Poster

129

129

33

20

411

DME-Kennedale ISD

71

74

33

21

434

Photo-Uniform Shirt

98

*103

33

22

23

(*) Denotes Admitted for the Record

24

25

PROCEEDINGS

(June 13, 2011 ~ 9:24 a.m.)

(Open court, Defendant present, no jury)

THE COURT: All right. The Court calls

Cause No. 1184294D, styled the State of Texas versus
John William Hummel.

Are both sides ready to proceed?

MR. BRISSETTE: The State's present and
ready for all purposes.

MR. CUMMINGS: Yes, Your Honor.

THE COURT: All right. Mr. Cummings, is
your client competent?

MR. CUMMINGS: He is, Your Honor.

THE COURT: All right. Are there any final
pretrial matters that are still pending or any new
matters that need to be taken up at this time, State?

MR. BRISSETTE: None from the State, Your
Honor.

THE COURT: Defense?

MR. CUMMINGS: No, Your Honor.

THE COURT: Both sides ready to bring in
the jury?

MR. BRISSETTE: I believe so, Your Honor.

MR. CUMMINGS: Yes.

THE COURT: All right. Let's bring in the

7

panel, please.

(Jury present)

THE COURT: Please be seated.

Members of the jury, at this time I would
like to identify you by your original juror numbers, so
please announce present once I call your juror number.

No. 1.

THE JUROR: Present.

THE COURT: No. 20.

THE JUROR: Present.

THE COURT: No. 21.

THE JUROR: Present.

THE COURT: No. 25.

THE JUROR: Present.

THE COURT: No. 36.

THE JUROR: Present.

THE COURT: No. 52.

THE JUROR: Present.

THE COURT: No. 70.

THE JUROR: Present.

THE COURT: No. 72.

THE JUROR: Present.

THE COURT: No. 82.

THE JUROR: Present.

THE COURT: 100.

THE JUROR: Present.

THE COURT: 134.

THE JUROR: Present.

THE COURT: 139.

THE JUROR: Present.

THE COURT: 144.

THE JUROR: Present.

THE COURT: 147.

THE JUROR: Present.

THE COURT: Does either side have any
objections to the presently seated jury?

MR. BRISSETTE: No.

MR. MOORE: We don't have any additional
objections, other than what we previously raised.

THE COURT: Thank you.

State?

MR. BRISSETTE: No, Your Honor.

THE COURT: Thank you.

Jurors, please rise and raise your right
hands.

(Jury sworn)

THE COURT: Please be seated.

Members of the jury, I want you to read
along with the cards that I have given you earlier.

These are some of the instructions that I'm going to go

9

over at this time.

Number one, do not mingle with, nor talk
to, the lawyers, the parties or any other person who
might be connected or interested in this case except for
casual greetings. They will have to follow these same
instructions, and they will understand it when they
(sic) do.

Two, do not accept from, nor give to, any
of those persons any favors, however slight, such as
rides, food or refreshments.

Number three, do not discuss anything about
this case or even mention it to anyone whomsoever,
including your wife or husband, nor permit anyone to
mention it in your hearing until you are discharged as
jurors or excused from this case. If anyone attempts to
discuss the case with you, report it to me at once.

Four, do not even discuss this case amongst
yourselves until -- until after you have heard all the
evidence, the Court's Charge, the attorneys' arguments
and until I have sent you to the jury room to consider
your verdict.

Do not make any investigation about the
facts of this case. Occasionally, we have a juror who
privately seeks out information about the case on trial.
This is improper. All evidence must be presented in

1 open court so that each side may question the witnesses
2 and make proper objections. If you know of or learn
3 anything about this case except from the evidence
4 admitted during the course of this trial, you should
5 tell me about it at once.

6 Six, do not make personal inspections,
7 observations, investigations or experiments, nor
8 personally view premises, things or articles not
9 produced in court. Do not let anyone else do any of
10 these things for you.

11 Seven, do not tell other jurors your own
12 personal experiences, nor those of other persons, nor
13 relate any special information. A juror may have
14 special knowledge of matters such as business, technical
15 or professional matters; or he may have expert knowledge
16 or opinions; or he may know what happened in this or
17 some other lawsuit. To tell the other jurors any of
18 this information is a violation of these instructions.

19 Eight, do not seek information contained in
20 law books, dictionaries, public or private records or
21 elsewhere which is not admitted in evidence.

22 At the conclusion of all the evidence, I
23 will submit to you a written Charge. Since you will
24 need to consider all the evidence admitted by me, it is
25 important that you pay close attention to the evidence

11

1 as it's presented.

2 The Texas law permits proof of any
3 violation of rules of proper jury conduct. By this I
4 mean that jurors and others may be called upon to
5 testify in open court about acts of jury misconduct. I
6 instruct you, therefore, to follow carefully all the
7 instructions which I have given you, as well as others
8 which you will later receive while this case is on
9 trial.

10 Now, members of the jury, I do have some
11 additional instructions for you at this time. Now, the
12 case will proceed in the following order: The
13 Indictment shall be read to the jury (sic) by the
14 prosecuting attorney. The Defendant shall stand and
15 state his plea to the charges.

16 The State shall make an opening statement
17 outlining its case. The opening statement will state
18 the nature of the accusation and the facts which the
19 State expects to prove to support the accusation.

20 The Defense may make an opening statement
21 but has no obligation to do so. The State will
22 introduce its evidence in support of the Indictment.
23 After the State rests its case in chief, the Defense may
24 make an opening statement, if it has not done so
25 previously.

1 The Defense will state the nature of the
2 defenses relied upon, if any, and the facts expected to
3 be proved in their support. The Defense will introduce
4 its evidence, if any. After the Defense rests,
5 rebutting testimony may be offered on the part of each
6 party.

7 At the conclusion of all the evidence, the
8 Court's Charge will be read, the attorneys will make
9 their closing arguments and you will retire to the jury
10 room to consider your verdict.

11 The law applicable to this case will be
12 contained in the instructions I give you during the
13 course of the trial and the written -- written Court's
14 Charge. It is your duty to follow all such
15 instructions.

16 It is your duty to determine the facts from
17 the evidence and the reasonable inferences arising from
18 such evidence, and in so doing, you must not indulge in
19 guesswork or speculation.

20 The evidence which you are to consider
21 consists of the testimony of the witnesses and the
22 exhibits admitted into evidence. The admission of
23 evidence is governed by the rules of law.

24 From time to time, it may be the duty of
25 the attorneys to make objections and my duty as Judge to

13

1 rule on those objections. There may be periods of time
2 where we'll ask to excuse you. You must not concern
3 yourself with the objections or being excused or the
4 reasons for the Court's rulings. You must not consider
5 testimony or exhibits which -- to which an objection was
6 sustained or -- or exhibits to which an objection was
7 sustained as well, or anything you've been ordered to
8 disregard.

9 The opening statements and the closing
10 arguments of the attorneys are intended to help you, if
11 they do, in understanding the evidence and applying the
12 law, but what the attorneys say is not evidence.

13 You must not be influenced in any degree by
14 any personal feeling of sympathy for or prejudice
15 against the State or the Defendant in this case, for
16 each is entitled to the same fair and impartial
17 consideration.

18 No statement or ruling or remark or look or
19 glance which I may make during the presentation of
20 testimony is intended to indicate my opinion as to what
21 the facts are. You are to determine what the facts are.
22 In this regard, you alone must decide upon the
23 believability of the evidence, its weight and value.

24 Please remember to follow the previous
25 instructions I've given you in the form of the pamphlet

1 handed to you. Do not discuss this case or the
2 testimony as it progresses during this trial until after
3 you have heard all the evidence from both parties,
4 received the Court's Charge to the jury and heard the
5 respective attorneys' closing arguments and until I have
6 sent you to the jury room to deliberate and consider
7 your verdict.

8 Do not make any investigation about the
9 facts of this case. Occasionally, a juror privately
10 seeks out information about a case on trial. This is
11 improper.

12 I'm going over this a second time.

13 All evidence must be presented in open
14 court so that each side may question or cross-examine
15 the witnesses and make proper objections. If you know
16 or learn anything about this case except from the
17 evidence admitted during the course of this trial, you
18 must tell me about it at once.

19 Do not make any personal inspections,
20 observations, investigations or experiments, nor
21 personally view premises or articles not produced in
22 court. Do not let anyone else do any of these things
23 for you.

24 Do not tell other jurors your own personal
25 experiences, nor those of other persons, nor relate any

15

1 special information such as business, technical or
2 professional matters.

3 Do not seek information contained in law
4 books, dictionaries, public or private records or
5 elsewhere which is not admitted in evidence. This
6 includes the use of electronic media. During the trial,
7 you must not communicate with or provide any information
8 to anyone by any means about this case.

9 You may not use any electronic device or
10 media such as a telephone, cell phone, smart phone,
11 iPhone, Blackberry or computer, the internet, any
12 internet service, or any text or instant messaging
13 service or any internet chat room, blog or website, such
14 as Facebook, MySpace, LinkedIn, YouTube or Twitter to
15 communicate to anyone any information about this case or
16 to conduct any research about this case.

17 Now, you previously met Mr. Delbert
18 Martinez, one of the bailiffs. The other is Mr. Tim
19 Tremaine, which you've seen during the voir dire, and
20 Mr. Brian King. We also have other bailiffs that will
21 be coming in and out during the course of the trial.
22 The court reporter is Ms. Angie Taylor.

23 We will normally convene at 9:00 a.m. and
24 take a morning break and then lunch at approximately
25 1:00 to 2:00 or 1:00 to 1:30, and take an afternoon

1 break, and we will finish up around 5:00 p.m.

2 Should you need to take a break at any
3 time, please get my attention or one of the bailiffs'
4 attention, and we'll take a break as needed.

5 If at any time you cannot hear the question
6 (sic) of the witnesses or the attorneys' questions,
7 please let me know, and I will ask them to speak louder.

8 Note-taking. You will not be allowed to
9 take notes. So I'll ask the bailiff to take up the
10 clipboards at this time.

11 The note-taking, although may be valuable,
12 there are specific problems with it, and as a result,
13 your attention may be diverted. So please focus on
14 the -- the testimony of the witnesses as they testify
15 from the witness stand.

16 Now, publicity. You are instructed not to
17 read any newspaper article or listen to any radio
18 broadcast or view any television program which discusses
19 this case. During the recess intervals, you will be
20 allowed to move around, but it's vital for you to
21 remember the instructions given by the Court for your
22 conduct while you are a juror.

23 State, are you ready to proceed forward and
24 read the Indictment?

25 MR. BRISSETTE: The State's present and

17

1 ready, Your Honor.

2 THE COURT: Defense, please stand.

3 MR. BRISSETTE: Indictment No. 1184294D, in
4 the name and by authority of the State of Texas, the
5 Grand Jurors of Tarrant County, Texas, duly elected,
6 tried, empaneled, sworn and charged to inquire of
7 offenses committed in Tarrant County, in the State of
8 Texas, upon their oaths do present in and to the 396th
9 District Court of said County that John William Hummel,
10 hereinafter called Defendant, in the County of Tarrant
11 and State aforesaid, on or about the 17th day of
12 December, 2009, did then and there knowingly cause the
13 death of an individual, Clyde Bedford, by striking him
14 with a bat, and did then and there knowingly cause the
15 death of an individual, Joy Hummel, by stabbing her with
16 a knife and both murders were committed during the same
17 criminal transaction.

18 Paragraph Two: And it is further presented
19 in and to said court that the Defendant, in the County
20 of Tarrant and State aforesaid, on or about the 17th day
21 of December, 2009, did then and there knowingly cause
22 the death of an individual, Clyde Bedford, by striking
23 him with a bat, and did then and there knowingly cause
24 the death of an individual, Joy Hummel, by stabbing her
25 with a dagger and both murders were committed during the

1 same criminal transaction.

2 Paragraph Three: And it's further
3 presented in and to said court that the Defendant, in
4 the County of Tarrant and State aforesaid, on or about
5 the 17th day of December, 2009, did then and there
6 knowingly cause the death of an individual, Clyde
7 Bedford, by striking him with a bat, and did then and
8 there knowingly cause the death of an individual, Joy
9 Hummel, by stabbing her with a sword and both murders
10 were committed during the same criminal transaction.

11 Against the peace and dignity of the State,
12 signed Foreman of the Grand Jury and Joe Shannon,
13 Criminal District Attorney of Tarrant County.

14 THE COURT: And what is the Defendant's
15 plea?

16 MR. MOORE: Judge, Mr. Hummel will -- will
17 remain mute, and we would request that you enter a not
18 guilty plea on his behalf.

19 THE COURT: That is granted.

20 The Court hereby instructs and enters a
21 plea of not guilty to all charges on behalf of the
22 Defendant.

23 Thank you. Please be seated.

24 State, you may proceed with your opening
25 statement.

19

1 MR. BRISSETTE: Thank you.

2 May it please the Court, Defense Counsel.

3 STATE'S OPENING STATEMENT

4 MR. BRISSETTE: Members of the jury, bad
5 things happen in the middle of the night. Scary
6 monsters, scary things arrive in the middle of the
7 night. They lurk behind closet doors, under the bed and
8 behind the shower curtain. For that is the imagination
9 of young children in our world, and that was the
10 imagination of a young child by the name of Jodi Hummel,
11 who, back in 2009 in December, would promptly (sic) come
12 in here and tell you that she was five and a half years
13 old.

14 She lived with her mother, Joy Hummel; the
15 person she called Daddy, John Hummel; and her Paw-Paw,
16 Clyde Bedford. He goes by Eddie. They lived in a town
17 called Kennedale, Texas. It's a quaint little town
18 that's seen a lot of economic growth over the years from
19 the Barnett Shale. It's off of U.S. Highway 287, known
20 as Mansfield Highway, business highway, and I-20.

21 The Bedfords had some property there.
22 Address called 600 Little School Road. It was the
23 Bedfords' family homestead. And at this family
24 homestead, generations of Bedfords have grown up, for
25 this is the house that Jodi, Mr. Hummel and Jodi's dad,

1 Eddie, lived in with their daughter -- excuse me -- Joy.

2 There's a lot of J's in this case. You'll see that
3 coming up.

4 Jodi lived there with her mother and her
5 father and with Eddie. It's a two-bedroom house with
6 one bathroom. There's a converted garage that Eddie
7 lived in.

8 You're going to hear, through the testimony
9 today and tomorrow and as the week goes on, that to make
10 it easy for the jury, we've labeled stuff with different
11 sides. The front of the house is the A side. As we go
12 around, we go around counterclockwise. So it goes A, B,
13 C, D.

14 Jodi's house -- room in the house was on
15 the back right side of the southside, the D side. She
16 lived with two windows in her room, one that she could
17 look out over her puppy that stayed in her backyard and
18 her swing set, and the other over a field that she
19 played in for hours on end just like the other
20 generations of Bedfords.

21 Her mother and father lived on the A side
22 of the building, the AB corner bedroom, the master
23 bedroom; and Eddie lived up on the north side, the B
24 side of the bedroom.

25 They lived there in the house for several

21

1 years prior to December of 2009. For this was their
2 only place to live and a place where they raised their
3 daughter, and Eddie got to live with them.

4 Eddie -- we'll start with Eddie. Eddie was
5 an individual that throughout his adult professional
6 career had different jobs. He retired as a warehouse
7 worker driving a forklift. But Eddie developed some
8 chronic arthritis that was debilitating to a point where
9 his arms and his hands weren't able to work anymore, and
10 his feet really started hurting him to the point where
11 Eddie was on crutches. He went from crutches to a
12 walker to a wheelchair, and at some point in time, there
13 was a scooter that was brought in by a Sunday school.

14 Joy, Jodi's mother, had put herself through
15 professional massage school. She was a licensed massage
16 therapist in the State of Texas. She worked at many
17 different salons in the northern part of the county, and
18 finally in December of 2009, she was employed at a salon
19 across from Harris Southwest in the Mira Vista area of
20 Fort Worth. If you're familiar with it, it's the salon
21 that sits in the Albertson's parking lot there.

22 John was a former United States Marine, and
23 at the time of December, he was working as a security
24 officer for a security company out of Arlington. And
25 Jodi was in her first semester at a little school called

1 Delaney Elementary. It's part of the Kennedale ISD
2 school system. And she was, in December of 2009 when
3 were talking about, about a week before getting out of
4 the first semester.

5 Looking at this relationship, Joy was the
6 primary wage earner of the family. Eddie had his
7 disability checks that would come in, and John had his
8 money coming in from the work at the security company.
9 Though they had jobs and had money coming in, money was
10 always tight in the family.

11 Each month it was deciding which bill would
12 be paid and how they were going to make ends meet.
13 Where times were tough in the -- in the Bedford and
14 Hummel household there, but they got by and made sure
15 Joy (sic) had what she could have.

16 And if you ever spent any time at the
17 residence and ever spent any time around Jodi, you would
18 learn that if you spent any time with her, you would
19 either end up playing Barbie dolls or sitting with her
20 and coloring.

21 Because when you see the crime scene photos
22 of the house, you'll see her drawings, or where they
23 were at one point on the scene, taped up around the
24 residence. For that was her love. That was what she
25 really wanted to do in life, was just to draw and play

23

1 with the Barbie dolls.

2 When we look at this -- the house as it
3 sits in the last week of December that the house was
4 still standing, it was set for Christmas, where this
5 house was something special, and Christmas was something
6 special to Joy as she grew up as a daughter to her
7 mother. This was always a special time of year, and Joy
8 tried to make that a special time of year for Jodi.

9 You'll see that the house was set up so
10 there would be special memories. And for Jodi, she
11 would tell everybody at school that this was going to be
12 the best Christmas ever. And take it from the mind-set
13 of a five-year-old, each Christmas builds on one
14 another, and it's the next best Christmas. And that's
15 what was going to take place this week.

16 It's a family that had one vehicle, and
17 they shared it. Joy would take it to work in the
18 mornings, and then John would take it to work at his
19 shifts when he worked his shifts as a security officer.

20 Times were tough. The vehicle came to him
21 from some great friends you're going to hear about at
22 Shady Oaks Baptist Church up in Hurst. And How do you
23 get from Kennedale to Hurst to go to church every week?
24 There's got to be churches in between.

25 Joy had been invited by one of her clients

1 to attend Sunday services one Sunday, and from there, as
2 they say, the rest is history. They would start
3 attending that church, Shady Oaks Baptist at Hurst, and
4 the parishioners will tell you throughout the trial that
5 you could not stop Jodi from being there first so she
6 could open the door and greet everybody.

7 And Joy was able to get her father, Eddie,
8 and her husband, John, to attend as well. They all
9 attended Sunday school classes, Sunday worship services;
10 and for Joy and Jodi, they were there almost every
11 Wednesday for Wednesday night activities.

12 Now, Johnny and Joy were in a couples
13 Sunday school class. And you'll find that that couples
14 Sunday school class kept the Hummels afloat, whether it
15 was coming to fix the roof at the 600 Little School Road
16 address to keep the insurance from being cut from the
17 house or dropped from the house, or getting the down
18 payment after the vehicle they did have was wrecked by
19 Johnny, coming up with funds to buy the minivan that
20 they had at the time of this incident. The Sunday
21 school class always stepped up.

22 And you're going to hear a little bit more
23 about that, that they were concerned about what took
24 place this week. Because as we go through this and we
25 look at this, we get into Monday, December 14th, one

25

1 full week before Christmas. But the start of December
2 14th was the last week of school for Jodi for the
3 semester. She was excited because Monday, the 14th,
4 meant it was only three days away from the Christmas
5 party on December the 17th.

6 For Joy, she had a full week's worth of
7 appointments. And you have to remember, as a person
8 that runs a massage -- has a massage therapist license,
9 they only get paid if they worked. So Joy had her
10 calendar booked up real tight. She had a few slots open
11 where she could go be Santa and buy the gifts for Jodi.

12 And she was also very tired at this point
13 in her life. She was having issues sleeping. She was
14 tired because she was 14 weeks pregnant. December 14th,
15 she was 14 weeks pregnant. She had just recently gone
16 to her doctor and was able to hear the baby's heartbeat
17 for the first time. She was working as much as she
18 could, and she's going through the tiredness that
19 happens during the first trimester.

20 That week is also a turning point for the
21 Defendant, Mr. Hummel, because, see, that's an important
22 part of Mr. Hummel's other life that he kept from his
23 family. For that week, and that particular Wednesday,
24 December 16th, his good friend, his girlfriend, was
25 getting a divorce. Her divorce was to be final in

1 Johnson County. For he had met somebody driving down to
2 his spot of employment. He was based as a security
3 guard down in Johnson County at the Harris Methodist
property down there. For those that have grown up
around here, it's the old Walls Hospital down there.

6 Kristie Freeze worked at -- at a service
7 station, or a convenience store nowadays, called E-Z
8 Mart in Joshua. It first started as just a casual
9 acquaintance. He would come in and buy his cigarettes
10 and buy fuel. From there, it turned into they exchanged
11 cell phone numbers. From exchanging cell phone numbers,
12 they started calling each other. John called Kristie
13 approximately 57 times during the deep night when he
14 worked his shift, while his wife is pregnant.

15 They started texting each other. You'll
16 hear that Mr. Hummel sent Kristie Freeze over 800 texts,
17 and Kristie Freeze sent back a similar number, back and
18 forth, texting about anything you could think of.

19 Their relationship grew. They went from
20 calling each other to texting each other, so John
21 started going over to Kristie's apartment in Joshua.

22 And you're going to hear that the apartment
23 sits right behind the Huddle House there in Joshua. So
24 you have the E-Z Mart just down the road from the Huddle
25 House, and then the apartment complex that Kristie

27

1 Freeze lived in was right behind the Huddle House.

2 So that was an important week in John's
3 life as well, his other life that he kept from his
4 family, because he wanted to be over there when the
5 divorce was final because he heard there was going to be
6 a party. They had texted and communicated that they
7 were going to have a divorce party.

8 So John was not scheduled to work on
9 December 16th, which is Wednesday, or December 17th, but
10 he led his family to believe that. He led his family to
11 believe that he was on duty working as a security
12 officer. The night of December 16th, Wednesday night,
13 he ended up over at Kristie Freeze's house, either late
14 on Wednesday night or early on Thursday morning,
15 December 17th.

16 Thursday morning comes around. John's back
17 at home. His normal deal, since he worked deep nights,
18 is he would sleep in in the morning, Jodi would be off
19 of school, Joy would go to the salon, and Eddie was
there.

22 Now, on Thursdays was Eddie's day to get
23 out of the house, because on Thursdays was Eddie's day
24 at the senior center there at Kennedale, and Eddie would
25 go be with his peers at the senior center.

We know that John was awake by around 10:18

1 on Thursday morning, December the 17th, because that's
2 when he first starts texting -- texting Kristie again.
3 John goes through his day that day and does what he
4 normally does for his family when he's going to work.
5 He fixes dinner for him. Prior to Joy getting home,
6 John has everything together, and to everybody's word,
7 he's a good cook.

8 He fixes supper for them, and he leaves in
9 his uniform. He leaves 600 Little School Road in his
10 uniform as if he's going to work. He's not going to
11 work. He goes down to the E-Z Mart in Joshua and gets
12 fuel. You'll see evidence that he's on videotape there.
13 Then he disappears and goes and shows up at Kristie
14 Freeze's apartment, for that's another special night in
15 Kristie Freeze's world, that other world that he kept
16 from his family. Because Kristie Freeze's daughter is
17 turning six that day and he's over to celebrate.

18 He leaves Kristie Freeze's residence, and
19 at some point returns home. He returns home back to the
20 residence. He doesn't park the minivan in the driveway.
21 He pulls the minivan back around behind the house, back
22 on its C side, the C side of the building, the back of
23 the house, that's obscured vision from the road, and
24 parks the minivan back there.

25 He takes off his boots. He takes off his

29

1 uniform shirt. He's got his white socks on, his work
2 pants that are dark and his dark shirt. And he goes
3 through the back door for the last time at his
4 residence, enters through it.

5 Now, he goes into the kitchen for awhile,
6 and he'll tell you it's about a half hour. He begins to
7 contemplate while in the kitchen what brings us here to
8 court today. During that half hour he's there, you'll
9 hear no pitter-patter of the feet running around from a
10 five and a half-year-old; you don't hear the hum from an
11 electric scooter of Eddie coming back through the house
12 to say good night. The house is all quiet because
13 everybody is asleep.

14 As he contemplates for a half hour, he
15 finally decides to pick up a kitchen knife and go into
16 the master bedroom. For it's there that his wife, who's
17 pregnant, is asleep in the master bedroom.

18 He takes the knife, and Mr. Hummel tries to
19 slice his wife's throat. To his dismay, his instrument
20 is not that sharp. It breaks and bends, and his wife
21 wakes up without him accomplishing his task at hand,
22 which is slicing his wife's throat.

23 She wakes up, and the struggle -- or more
24 importantly, the fight is on, the fight for her life and
25 that of her fetus. You see, now, Joy didn't like

1 sleeping at home at night by herself, so there was an
2 aluminum baseball bat. Some may say it's a softball bat
3 based on the barrel size. What's important is it's 34
4 inches and it's 31 ounces. And it's right next to her
5 side of the bed for her protection.

6 He's a man of opportunity. He grabs this
7 bat, and the evidence will show you from the Medical
8 Examiner's Office that Joy received significant blows to
9 the back of her head to the point where her head is
10 split open.

11 Not resting on using the baseball bat, Mr.
12 Hummel was a collector of different types of weapons,
13 and they were proudly displayed in the master bedroom.
14 He went and got a Samurai long sword, and he used that
15 on his wife. Not being good enough, he got a smaller
16 Samurai weapon, a smaller blade. The Samurai long sword
17 is razor sharp. It'll slice paper in an instant. The
18 other weapon has a sharp point, but the edge of the
19 blade has never been honed to a sharp edge.

20 That not being enough, he switched from his
21 Japanese collection to his Medieval dagger collection.
22 And this Medieval dagger is razor sharp on both sides,
23 and it has two points at the handle called quillons, and
24 you'll find that one of them broke off during the
25 struggle as he's stabbing his wife to death. And you're

31

1 going to find out where that was collected at the scene.

2 For you see, after doing this, John's
3 winded. John's exhausted. His wife who is pregnant,
4 lays dead at his feet, and he has to catch his breath.
5 He will tell you through videotape how he did that. He
6 caught his breath. He waited about ten minutes. He
7 left the swords in the bedroom, took the bat and went
8 through the laundry room. You have to go back through
9 the three common areas that you'll see in the house, the
10 areas that had all the toys and all the drawings, and
11 you have to go through the laundry room to get into
12 Eddie's room.

13 And once Eddie gets in bed, he doesn't move
14 too easy with the arthritis, especially at the end of a
15 long day. Eddie's asleep on his favorite Harley
16 Davidson bedsheets, and that gentleman goes in with the
17 bat and proceeds to destroy Clyde Eddie Bedford's skull
18 with the bat, killing him where he slept.

19 He walks back through, past the back door
20 where he could have just left, walks back through the
21 whole house, back down the hallway where the master
22 bedroom sits, where the bathroom sits and where his
23 daughter's bedroom is, the young lady who called him
24 Daddy.

25 He goes into Jodi's room. Jodi's in a --

1 in a toddler-size bed, and she's in a toddler-size bed
2 that has a safety rail to keep her from rolling out at
3 night.

4 For what she was scared of, as I started
5 talking to you, of the monsters and stuff at night, she
6 had finally overcome having to get up in the middle of
7 the night and sleep with her daddy and her mommy. She
8 was there in her own bed when he went in and took the
9 aluminum bat and killed her by smashing her head in as
10 well.

11 He goes back to the kitchen where they keep
12 the trash bags, gathers up a white kitchen trash bag and
13 loads the instruments of death in it and then puts it in
14 the back of the minivan and leaves out.

15 Now he has to start his alibi he's got
16 planned. As he's going through this criminal
17 transaction, there's one more thing before he leaves.
18 One more thing. The bodies are dead. They lay there.
19 Joy, at this point is on the floor between the dresser
20 and the bed. Eddie never got out of his bed, and from
21 all the crime scene evidence, Jodi never got out of her
22 bed with the rail right there.

23 He goes to each individual bedroom and sets
24 a toilet paper roll next to them and lights it on fire,
25 Their own funeral pyre. He then leaves, and the next

33

1 time we see Mr. Hummel is on videotape as he's
2 establishing his alibi at different Walmarts in Tarrant
3 and Johnson County.

4 For his story that he'll tell investigators
5 some six hours later, is he was price comparison
6 shopping between different Walmarts to see which had the
7 best prices for Christmas gifts for his daughter and his
8 lovely wife.

9 He is seen on videotape throughout the
10 night, but what he doesn't realize is that the Walmart
11 that's just four minutes up the road, there right off of
12 820 near Kennedale, it's actually in Arlington, but it's
13 on the Kennedale line, is a group of people I call the
14 Good Samaritans. They're there. It's around 11:00
15 o'clock at night, and they got a car that's broken down,
16 and they don't have the money to get a wrecker, so
17 they're going to do the next best thing. One of the
18 guys goes in and gets a tow strap from Walmart, and
19 they're going to tow the vehicle home.

20 And to get the vehicle towed home, they're
21 going to go right past 600 Little School Road. They're
22 going to turn and go right over by the police station
23 where the apartment complex is, and they're going to
24 push the vehicle in and then go back by again. So as
25 they're towing the vehicle and they're going slow,

1 they're going to make the turn, this turn -- the house
2 sits right across from a church, and right across from
3 that, at the time, a working gas oil site. And they
4 make the turn slow because they have the tow strap.
5 They see no smoke, no fire.

6 They're going to come in here and tell you
7 less than ten minutes later, when they had come back
8 down the road and come up to the T intersection there at
9 Sublett and Kennedale, they see fire pouring out of
10 Jodi's room shooting up into the sky.

11 They stop; they run out. There's a group
12 of them, and all of them start calling 911. And you're
13 going to hear about what they tried to do, how they
14 tried to run around the residence. And it's amazing
15 when they get back to that C side of the building and
16 get back, the back door is wide open.

17 As the calls are coming in, you're going to
18 hear from Officer Josh Worthy from the Kennedale PD.
19 This quaint little Kennedale town that rolls the
20 sidewalks up at night only has two officers on duty.
21 Josh just happened to be walking into the PD as he heard
22 all the 911 calls come in over the speaker in the
23 dispatch.

24 He immediately went back out to his car,
25 knowing that he was going to get the call because he's

35

1 it. And you'll hear that Josh makes it to the house
2 before any other fire rescue. He's the first there. He
3 tries to open the front door. He can't get it open. He
4 goes to the outside door of Eddie's room. You can get
5 to Eddie's room two ways, through a door where the
6 converted roll-up door used to be, they framed it in and
7 put a pedestrian door in, or you come through the
8 laundry room.

9 Officer Worthy will tell you that he kicked
10 the door trying to see if anybody was there, and then he
11 went around back and tried to get in there. And you're
12 going to hear about the fire and rescue attempts from
13 multiple agencies and multiple cities, the first being
14 the Kennedale Fire Department. They were in station at
15 the time. They were asleep in their quarters. At 12:18
16 the lights came on, the siren went off in the fire
17 department, and they were given the address of 600
18 Little School Road.

19 You will hear from Lieutenant Cleveland,
20 who was the officer on the quint that night, the fire
21 truck, that as soon as he turned out of the fire
22 station, some distance away he could already see the
23 smoke showing in the air. As he got closer, he could
24 see the fire.

25 They have one fire truck with three people

1 on board and one ambulance for their city. That all was
2 committed to this fire. He immediately started calling
3 for help from other agencies. It's called mutual aid.
4 They took every firefighter from Forest Hill and brought
5 them to the scene, and they called Mansfield, and
6 Mansfield was able to send resources as well.

7 And you're going to hear about the
8 suppression activity when they got there, how they tried
9 to take control of the fire and how the fire fought them
10 back as they went through it.

11 Because at the time the fire department
12 gets there, this fire is rolling. It's rolling out of
13 the front of the house; it's pouring out of Jodi's room;
14 it's coming out of the back as well with heavy smoke.
15 They decide to go in and make an attack from Eddie's
16 room and from the master bedroom. They go in through
17 the window on the master bedroom side.

18 It's not like the movie Backdraft, ladies
19 and gentlemen. They can't see in front of their face
20 with their own hand. The Mansfield Fire Department is a
21 little bit better off and has a night-vision system
22 you're going to hear about from Captain Wilson and how
23 he was able to see.

24 Mansfield had Joy and Jodi's room to attack
25 and try to control that fire. Forest Hill and Kennedale

37

1 attacked Eddie's room and went in that way. Once they
2 had enough firefighters there on the scene, they started
3 a primary search.

4 They went through the first search, and
5 they found no individuals. They gathered up, and as
6 they're getting ready to start the second search, they
7 go back through Eddie's room. And it's at that point
8 that the lieutenant from the Forest Hill Fire
9 Department -- he's the officer for them that was there
10 that night -- goes through and discovers Eddie's remains
11 at that point on his bed.

12 They go through the second search as well,
13 and we have Captain Wilson from Mansfield and we have
14 Lieutenant Cleveland from Kennedale, and they discover
15 Joy's remains where they had already been in that room
16 fighting the fire and had walked right over her because
17 that's how bad the fire was. They were unable to see in
18 the room.

19 The second search does not produce Jodi.
20 It's not for some time until the atmosphere clears
21 enough in the room where you can see and they can go in
22 with flashlights that the third search is when Forest
23 Hill determines what they think might be animal remains
24 at first inside Jodi's bedroom. It wasn't until they
25 took a better look at it and got the air a little bit

1 cleaner in there, and they were able to determine that
2 that was a human being.

3 Firefighters had to continue suppressing
4 hot spots throughout the early morning hours, and even
5 when the sun comes up, the firefighters are there until
6 sundown on Friday, December 18th.

7 So once they get there at 12/18, Friday
8 morning, December 18th, they do not leave the scene
9 until about sundown that day. And they're constantly
10 fighting hot spots or flare-ups throughout the day.

11 The fire chief from Kennedale makes the
12 scene and takes control of the scene, for it's his job
13 at that point, as the head firefighter in the City of
14 Kennedale, to determine what's called the origin and
15 cause of a fire, how did this fire start.

16 As part of the origin-and-cause
17 investigation, in Tarrant County at least, many smaller
18 agencies such as this Kennedale had one fire truck.
19 They called the Tarrant County Fire Marshal's Office.
20 The Tarrant County fire marshal, Randy Renois, heads up
21 what's known as the Tarrant County Arson Task Force.

22 It's an -- a grouping of the 43 fire
23 departments that are here in our area. It's a grouping
24 of Parker County, Hood County, Denton County, Wise
25 County have people part of the task force. The State

39

1 Fire Marshal's Office is part of it, our office is part
2 of it, and the United States ATF is part of it.

3 Tarrant County Fire Marshal's Office makes
4 a determination on what the asset callout is, how many
5 people we're going to call out to investigate a fire.
6 For this particular fire, it was the Tarrant County Fire
7 Marshal's Office, the Bedford Fire Department, the ATF,
8 the Tarrant County Sheriff's Office and our office was
9 called to the scene to help investigate the origin and
10 cause and assist the Kennedale fire chief.

11 So you're going to hear that an assist to
12 figure out the origin and cause to show up inside
13 somebody's house, the fire department first works on
14 what they exigent circumstances. They're there to get
15 inside the residence. And you're going to hear what
16 exigent circumstances they had, that being the fire.
17 They're there. The exigent circumstances remain
18 throughout the day as the fire was still there.

19 Well, when Mr. Hummel finishes his alibi
20 and being on videotape around the Metroplex, he walks
21 back up to the fire scene, drives up, parks in the
22 church parking lot, and walks up to the front of the
23 fire truck that's there hooked up to the hydrant.

24 And his first words out, Did anybody make
25 it out? Cool, calm and collective. Did anybody make it

1 out?

2 And the officer goes, Who are you?

3 He goes, Well, I live here.

4 Well, at this time the fire department did
5 not know what the origin and cause of the fire was.
6 They did not know how the people succumbed to their
7 death inside the fire scene, and they're treating him as
8 a victim.

9 They get him away from the quint back
10 across the street and back over by where some of the
11 patrol cars were, more importantly, where his van was.
12 They were trying to get him out of the cold because it
13 was around 29 degrees at midnight, and it got colder
14 through the night before the sun came up. It was a cool
15 night out there.

16 John is asked if -- John asked if he could
17 smoke in the patrol car if that's where he's going to
18 sit, and the officer says no. It's Officer Worthy.

19 So they go back to John's minivan, and John
20 starts his car, turned his heater on and has his legs
21 sitting out sideways of the driver's seat of the minivan
22 and is smoking a cigarette while talking to Officer
23 Worthy.

24 And you're going to hear that conversation
25 because Officer Worthy and the Kennedale Police

41

1 Department wear body mics. And they're recorded on
2 in-car cameras.

3 Captain Hull, who was second in command of
4 the police department, has made the scene at this point,
5 because they're helping to investigate this origin and
6 cause as well. And Captain Hull invites what he thinks
7 is a victim, just lost his entire family, down to the
8 police station just to visit so he can get him out of
9 the cold, get him something to drink, warm him up.

10 He doesn't need to be there as they're
11 going to dig out the fire and remove the bodies. That's
12 not something you want to have a family member to see.
13 Let's see if we can't move him down to the police
14 station.

15 You're going to hear that Mr. Hummel drove
16 his own minivan down the same route that the Good
17 Samaritans had done some six hours before to drop off
18 the vehicle and parked in the parking lot of Kennedale
19 PD and he went inside.

20 Captain Hull took him in. At that time of
21 the morning, it's the dispatcher, some officers that
22 arrive to go back out to the scene to help and Captain
23 Hull. They put Mr. Hummel in a room. The room has
24 several chairs and a desk. Captain Hull gives him a
25 piece of paper, and he asked him to write out what he's

1 been doing the night, just try to get him -- keep him
2 busy with some stuff.

3 You're going to hear that when he finishes
4 that, Special Agent Steve Steele from the ATF, Detective
5 Charbonnet from Kennedale PD, and later on, Sergeant
6 Carlson from the Kennedale PD are going to visit with
7 Mr. Hummel, because Special Agent Steele has already
8 walked through the residence and noticed something
9 peculiar. We have fire up at the north end on the B
10 side of the structure, and we have fire at the south end
11 on the D side of the structure. But remarkably, there's
12 no fire in the middle.

13 In his initial walk-through, there's no
14 communication. The two fires -- one didn't burn up one
15 side and drop down and cause the fire on the other side.
16 The fires didn't communicate. To a fire investigator,
17 that's something that's peculiar. It's something that
18 needs more investigation. So Special Agent Steele wants
19 to talk to Mr. Hummel.

20 And you're going to see that recorded
21 interview here in the courtroom. You're going to see
22 the interaction between Mr. Hummel and the
23 investigators.

24 Now, in this interview, Mr. Hummel's a very
25 soft-spoken man, so you're going to have to pay close

43

1 attention to what is said in the interview. It's not
2 the world's greatest recording equipment, and you're
3 going to have to pay close attention. We've done our
4 best to get the audio up as best we can.

5 You're going to hear that Mr. Hummel was
6 given any breaks that he wanted, he's not under arrest,
7 he's allowed to walk around, he asked to smoke at one
8 point.

9 Now, remember how cold it was that night.
10 They let him go out to what they call the sally port.
11 It's a place where when you have a prisoner and you pull
12 the patrol car in and you can shut the doors and get
13 them out safely where they don't run off.

14 He is allowed to either go outside in the
15 cold or go to the sally port. He chooses the sally
16 port. He has his restroom breaks. At one point Special
17 Agent Steele, on one of the restroom breaks, asked Mr.
18 Hummel for his clothes.

19 Sergeant Carlson keeps a set of work
20 clothes, grubby clothes, up at the office, pair of
21 pants, a T-shirt, stuff like that. And Mr. Hummel
22 consents to Special Agent Steele by giving him the
23 clothes.

24 So when you see him come back in at one
25 point in the interview, he's gone out wearing one

1 outfit; he comes back in, he's wearing Sergeant

2 Carlson's clothes. And it's during this collection of
3 clothes down to his socks that Special Agent Steele sees
4 what he notices, based on his training and experience,
5 to be blood on the white tube socks and what appears to
6 be blood on the black work pants. The clothes are
7 packaged and bagged and eventually taken to the Medical
8 Examiner's Office.

9 Back in the interview, Mr. Hummel signs
10 what's called a consent to search. A consent to search
11 gives the authorities permission to go back to the
12 residence and do whatever they need to do. So they're
13 there under exigent circumstances; now they're there
14 under a signed consent from the homeowner. It's also
15 consent at that point for his van, though they don't
16 search his van at that point.

17 The interview concludes with Mr. Hummel
18 drawing a map to his mother's residence here in the
19 southside of Fort Worth off of 820 and U.S. 287 up near
20 the Wilbarger and the Q-Whiz Stone area. She lives in a
21 community back in there, because that's where John says
22 he's going to be staying.

23 On the way out the door, they get to the
24 vehicle. John hands them his uniform work shirt. It's
25 a baby blue security guard shirt. That's bagged and

45

1 eventually sent to the Medical Examiner's Office as
2 well.

3 John leaves. He leaves in stocking feet,
4 because in addition to taking everything else, they took
5 his shoes from him. He gave them to them voluntarily.
6 They took them.

7 So next we see John show up at the Walmart
8 around the corner walking in with just his white socks
9 on, and he buys an identical pair of boots that he just
10 had on that he gave to the ATF to look at.

11 From there, that Walmart, he leaves and
12 goes over to Arlington to his security company, Champion
13 Security, because Friday's payday. He's there early.
14 Paychecks get started around 7:00 to 8:00, but there was
15 an issue, for whatever reason, with his paycheck. He
16 had to be there about three hours.

17 And during that three-hour time, he sits in
18 a small lobby. And I say small. It's from about here
19 to here. It's quaint. It's small. He's right across
20 from the folks that he's worked with that have
21 supervised him. And during that time frame, he never
22 says, Hey, my house just burned down and my family is
23 dead. Never mentions a fire.

24 Gets his schedule. They would have had him
25 starting in a new position away from Walls Hospital,

1 away from Harris Methodist Cleburne. He signs it and
2 says, I'll be there. Takes his check, and that's the
3 last we see of John Hummel in the state of Texas.

Where at that point John cashes his check.

4 I know he got gas in Arlington at some point in a
5 ConocoPhillips, and the next we see of him through his
6 credit card, his bank card, bank card that's tied to
7 Eddie's account, is in Midland, Texas getting fuel.

8 And he goes from Midland to Vado, New
9 Mexico -- Vado, New Mexico to Tucson, to El Centro, and
10 then on Saturday night around 8:00 o'clock, he shows up
11 at another Walmart in Oceanside, California.

12 Oceanside is just south of an entrance to
13 Camp Pendleton near the Marines where he was once
14 stationed. There, he checks into a motel and gets room
15 No. 24 and pays for two nights. That's his journey
16 there. I'll come back to that in a little bit.

17 After Mr. Hummel leaves the police
18 department that morning, more of the assets from the
19 task force to figure out the origin and cause have
20 arrived at the scene. It's now daylight. They work
21 through it and realize that, to be on the safe side, one
22 of them comes down here, a Lieutenant Joey Langford from
23 the Bedford Fire Department.

24 He comes down here and he obtains a search

47

1 warrant from a judge in this building. So now, the
2 firefighters are working due to the exigent
3 circumstances, the consent to search, and now they have
4 a search warrant from a state district judge to be
5 inside the residence.

6 It's not until the search warrant is signed
7 that any evidence is removed from the scene or the
8 bodies are removed. They're there throughout the day at
9 the scene, and the bodies are removed about midday. And
10 late in the day in that afternoon, they get word back
11 from the Medical Examiner's Office that they found
12 puncture wounds or stab wounds on Joy's body.

13 About sundown they process the scene as
14 best they can, and when they get done processing the
15 scene, for a fire to be called incendiary -- incendiary
16 means arson in the State of Texas -- they have to
17 exclude all accidental causes. They have to go through
18 and rule everything else out first.

19 You're going to hear from Mr. Hummel on one
20 of the tapes that the place had Dearborn, or space
21 heaters, that were tied to the natural gas that was
22 supplied to the house. You're going to hear from the
23 ATF agent that he checked all those out, and they were
24 in good working order. All the electricals were in good
25 working order. The hot water heater was in good working

1 order. They ruled out all accidental causes, and the
2 group of arson investigators that were there made the
3 call of the fire as incendiary in nature and ruled it
4 arson.

5 That Friday night and throughout early
6 Friday afternoon, once the word spread through the
7 media, this was the lead story on most networks that
8 morning in December, was the fire. It led most
9 newscasts to start the day. People from Shady Oaks
10 Baptist Church started catching wind of this. They
11 started sending their own text messages. Where's Joy?
12 Where's Jodi? Where's Eddie? Where's Johnny?

13 Once they figured out that Johnny had been
14 around, you'll see that people started trying to call
15 him on his phone, the phone that he had used so many
16 times to text Kristie and to call Kristie.

17 The church tried to call him. His work
18 tried to call him once they figured out what was going
19 on and saw the news. No answer. John did not show up
20 at the vigil that night at the church. He did not
21 return the calls from the Kennedale Animal Control, who
22 had taken his dog from the fire scene.

23 He's gone. The people here don't know
24 where he's at at this point. They don't know he's
25 already past Midland into New Mexico then to Tucson and

49

1 moving -- moving west. The community is afraid that
2 he's going to do something to harm his own life. So
3 church members get together Friday night and said if we
4 don't hear from him, we're going to do something
5 Saturday.

6 And one of those individuals is Chris
7 Paris. Chris and his wife were in the Sunday school
8 couples class with Joy and Johnny. Christopher lived
9 down in that area of town near Kennedale, but he took
10 upon himself, concerned as he was for a friend, the
11 friend that he had helped reroof the house for and done
12 as much as he could to help buy -- get the car and do
13 everything else, he wanted to make sure his friend
14 wasn't doing something stupid by taking his own life.
15 Because at that point in time, ladies and gentlemen, the
16 outside world, the non-law enforcement world, did not
17 know that we had stab wounds, did not know it was an
18 arson. The lid was still on the facts of the case.

19 Mr. Paris shows up at the Kennedale PD
20 early afternoon and asked to file a missing persons
21 report. There's some discussion that goes on at the PD
22 of whether or not somebody that's not next of kin could
23 do it, but they finally decided, since the next of kin
24 is gone in this case, because of the fire, they're going
25 to let him file it.

1 And it is filed and a missing persons
2 report goes into what's called the National Crime
3 Information Center, called NCIC. A missing persons
4 report goes nationwide, and there's text that's added to
5 this missing persons report based on the information
6 that the police department has at this point that Joy
7 was stabbed, and not stabbed once, but stabbed multiple
8 times.

9 The missing persons report asked for a
10 direction of travel, do not arrest, and potentially
11 armed and dangerous, due to the fact that we knew he was
12 a United States Marine at one point, and stab wounds on
13 his wife.

14 Let's go back to Oceanside. That Saturday
15 night, John's out around the motel there near Camp
16 Pendleton, meets up with a friend on the street, a man
17 on street. They decide to go to Tijuana. They drive
18 south. There at the border there is public parking lots
19 that charge a fee. Get a ticket like you do at the
20 airport, put it on the dash, park the car. It's stamped
21 December 20th. So we've gone Saturday the 19th to
22 December 20th at 2:10 in the morning, California time.

23 He and the other individual go across the
24 border. You're going to hear in the early morning hours
25 of Sunday, they attempt to come back through the United

51

1 States Port of Entry known as San Ysidro.

2 What John didn't understand at this point
3 is the Western Hemisphere Security Initiative is in
4 place. And that security initiative said that you have
5 to have one of three things, a valid U.S. passport, a
6 passport ID card or a special driver's license that has
7 a chip in it. Texas doesn't have a special driver's
8 license.

9 Mr. Hummel comes back through the
10 pedestrian lanes at the border checkpoint and presents
11 only his Texas driver's license. You're going to hear
12 from that border agent. Not having proper
13 identification to reenter the United States at that
14 point, under the initiative, they run his driver's
15 license, his name, through the Homeland Security
16 computers. The Homeland Security computers are tied to
17 NCIC.

18 At that point you're going to hear that
19 there was an alert that came up on that agent's screen,
20 and you're going to hear and see with videotape from the
21 border of how Mr. Hummel was detained at that point for
22 the missing persons report and for the armed and
23 dangerous part. He's also detained because he doesn't
24 have proper papers to stay in the United States. This
25 is after 9/11. This is the Hemisphere Initiative that's

1 in place. He's going to be detained.

2 You're going to hear at that point that
3 there's communication from the border patrol agents back
4 to the Kennedale PD. You're going to hear at one point
5 that an arson warrant is eventually faxed or sent via
6 teletype, the secure system that law enforcement uses to
7 the border to the agents for an offense of arson. An
8 arrest warrant was signed by a state district judge.

9 After a medical screening by the border
10 patrol staff to check on John, make sure he's okay, he's
11 transported by border patrol staff up to San Diego to
12 the San Diego County Jail.

13 It's during this time that Assistant Chief
14 Jim Rizy from our office, Detective Charbonnet and
15 Sergeant Carlson boarded an American Airlines flight to
16 head to San Diego. They're flying Sunday afternoon to
17 San Diego.

18 They arrive late in the day on Sunday.
19 They get situated and arrive at the jail. They've been
20 in contact with him, and the jail provided an interview
21 room and a camcorder on a tripod for them.

22 And you're going to hear how Assistant
23 Chief Rizy meets Mr. Hummel in the interview room, gives
24 him his Miranda warnings, lets him know he doesn't have
25 to speak to him.

53

1 And you're going to hear step by step,
2 after John waived his Miranda rights, how John killed
3 his family. You're going to hear that Mr. Hummel tells
4 us where he got rid of the murder weapons. As he's
5 driving around on his price comparison shopping from
6 Walmart that night, he finds an opportune place over at
7 O'Reilly's over in Arlington just on the border of
8 Dalworthington Gardens.

9 He tells investigator Rizy that. Word is
10 sent back to Officer Worthy, who is again on midnights,
11 because it's late in the day here, and Officer Worthy
12 leaves his jurisdiction of Kennedale and proceeds to
13 start driving around Arlington looking in dumpsters, and
14 lo and behold, he finds the dumpster.

15 You're going to hear from Arlington crime
16 scene officers who come out to process it, that we'll be
17 able to bring you the bat, the long sword, the short
18 Japanese sword and the dagger and the kitchen knife to
19 you as evidence.

20 So as the sun comes up in Texas on Monday
21 the 21st of December, we know who did it, how he did it
22 and why he did it. He wanted to be single. But
23 legally, we didn't know who the charred remains of Jodi
24 and Eddie were yet, because as it was talked to many of
25 you in voir dire, we have to go over elements. I just

1 read the Indictment to you. The State has to prove
2 identity.

3 When you go out and your work product is to
4 commit murders, you should be expected to be confronted
5 in a court of law with your work product, with photos.
6 The State has to prove to you the identity of these
7 individuals. We're going to have to bring evidence in
8 here. It's graphic evidence. There were thousands of
9 photos taken in this case. We have narrowed down and
10 whittled down to the smallest presentation possible to
11 meet our burden --

12 MR. CUMMINGS: Your Honor, I'm going to
13 object him arguing his case. At this point he's gone
14 beyond opening statement.

15 THE COURT: Sustained.

16 MR. BRISSETTE: The State is going to bring
17 to you physical evidence of an anthropologist, a
18 forensic anthropologist, who had to rebuild the skulls
19 of Eddie and Jodi. That's going to be her testimony.
20 She had to put them back together.

21 And to figure out who they were based on
22 DNA, you had to go University of North Texas Health
23 Science Center missing persons center, the people that
24 take bones from the field and figure out who they are.
25 That's how those two had to be ID'd. Jodi had to be

55

1 ID'd that way. Eddie had to be ID'd that way along with
2 some X-rays from some previous injuries at John Peter
3 Smith Hospital.

4 Joy's ID was a little bit easier. Her
5 hands were still intact. We were able to take a
6 driver's license thumbprint that you get when you get
7 your DL here in Texas and match up her identity.

8 You're also going to hear from other DNA
9 experts in this case, and the Medical Examiner's Office
10 that will link the blood that you're going to see on the
11 weapons in this case back to the people that Mr. Hummel
12 murdered.

13 You're going to link the DNA back that's
14 found on his clothes and his socks, back to the family
15 he killed, and at the end of the State's case in chief,
16 which will probably take the end of this week, with
17 maybe into next week, you're going to see that the
18 person that Jodi should have feared the most was not a
19 monster that was imaginary; it was the gentleman she
20 called Daddy sitting right over there.

21 THE COURT: Thank you, State.
22 Defense, would you like to make an opening
23 statement at this time?

24 MR. MOORE: Very briefly, Judge.

25 THE COURT: You may proceed.

DEFENDANT'S OPENING STATEMENT

1 MR. MOORE: Y'all will hear a bunch of
2 evidence in this case, and it's your job to ask
3 yourselves what does this evidence tell me. Some of it
4 is going to be graphic; some of it is going to be
5 disturbing; some of it is going to be horrific.

6 Look at each piece of evidence and every
7 word that you hear from that witness stand and ask
8 yourself, what does this tell me about the way this
9 crime was committed, what does this tell me about who
10 committed this crime, and what does this tell me about
11 why this crime was committed.

12 Because of all the evidence that you're
13 going to hear, you're not going to hear a reason -- a
14 reasonable or a rational explanation for why this
15 occurred. And you're not going to hear any testimony
16 that these murders constituted a single criminal
17 transaction. Listen to the evidence.

18 Thank you, Judge.

19 THE COURT: Thank you.

20 May I see the attorneys briefly?

21 (BENCH CONFERENCE PROCEEDINGS)

22 THE COURT: The Rule?

23 MR. MOORE: We've got some people that are
24 here in the courtroom.

57

1 THE REPORTER: I'm sorry, Mr. Moore.

2 THE COURT: Just -- just a moment. We have
3 to wait for everybody to show up here. Where's Miles?
4 We're invoking the Rule at this moment; is
5 that correct?

6 MR. GILL: That's correct.

7 THE COURT: You want to do it outside the
8 presence of the jury?

9 MR. MOORE: That's fine.

10 THE COURT: You want to swear the
11 witnesses?

12 MR. MOORE: Yeah.

13 THE COURT: Have your witnesses brought in.
14 (OPEN COURT PROCEEDINGS)

15 THE COURT: Ladies and gentlemen, members
16 of the jury, I need to take up a matter outside your
17 presence. Would you please excuse yourself to the jury
18 room? Please remember the previous instructions of the
19 Court.

20 (Jury not present)

21 THE COURT: All right. We're outside the
22 presence of the jury. Please be seated.

23 I understand both sides want to invoke the
24 Rule at this time; is that correct?

25 MR. MOORE: That is correct, Judge. And

1 there are a number of witnesses that appear on both the
2 State's witness list and are -- and individuals that we
3 have subpoenaed to be here that, I think, are present in
the courtroom.

THE COURT: All right. Would you both have
6 all your witnesses brought forward at the bar, and then
7 we'll go through the witnesses individually by name.

8 (Witnesses approach)

9 THE COURT: Are all the witnesses present?

10 MR. MOORE: That's all, Your Honor.

11 THE COURT: All right. Okay. Everybody
12 that's a witness, please raise your right hands.

13 (Witness sworn)

14 THE COURT: Has anybody said no?

15 All right. All of you please put down your
16 hands.

17 Ma'am, would you please identify yourself
18 for the record, please?

19 THE WITNESS: Audria Hastings.

20 THE COURT: Ms. Hastings. All right.

21 Thank you very much.

22 MR. GILL: Judge, I think there are a
23 couple of others that are just now making their way into
24 the courtroom.

25 THE COURT: Thank you.

59

1 (Witnesses enter courtroom)

2 THE COURT: All right, ma'am. Please raise
3 your right hand.

4 All right. Everybody that's just come in,
5 please raise your right hand.

6 (Witnesses sworn)

7 THE COURT: All right. Please put your
8 down hands.

9 All right. Ms. Hastings, I already got
10 your name.

11 Ma'am, your name is?

12 THE WITNESS: Karen Sanders.

13 THE COURT: Thank you, Ms. Sanders.

14 Ma'am, your name is?

15 THE WITNESS: Cylinda Bedford.

16 THE COURT: Thank you.

17 And the lady in the purple?

18 THE WITNESS: Ketti Robertson.

19 THE REPORTER: I'm sorry, ma'am?

20 THE WITNESS: Ketti Robertson.

21 THE COURT: Thank you, Ms. Robertson.

22 The lady in the green?

23 THE WITNESS: Trisha Murphy.

24 THE COURT: Thank you, Ms. Murphy.

25 Ma'am in the black?

1 THE WITNESS: Karen Bedford.

2 THE COURT: Thank you, Ms. Bedford.

3 And the teal green?

4 THE WITNESS: Lorie Lewallen.

5 Ms. Lewallen.

6 And then the aqua, Ma'am?

7 THE WITNESS: Emilee Robinson.

8 THE COURT: Thank you, Ms. Robinson.
9 Sir?

10 THE WITNESS: Gary Wagner.

11 THE COURT: Thank you.

12 And, ma'am, I'm sorry.

13 THE WITNESS: Whitnie Lee.

14 THE COURT: Whitnie Lee. Thank you, ma'am.
15 Sir, in the yellow shirt?

16 THE WITNESS: Cecil Bedford.

17 THE COURT: Thank you.

18 THE WITNESS: Mark Porter.

19 THE COURT: Mr. Porter.

20 THE WITNESS: Rachel Rittenberry.

21 THE COURT: Thank you, Ms. Rittenberry.
22 Ma'am?

23 THE WITNESS: Edwina Penny.

24 THE COURT: Thank you, Ms. Penny.

25 And sir?

61

1 THE WITNESS: Michael Castlow.

2 THE COURT: I'm sorry?

3 THE WITNESS: Michael Castlow.

4 THE COURT: Did you get that? All right.

5 THE WITNESS: C-a-s-t-l-o-w.

6 THE COURT: Thank you very much.

7 Is that all the witnesses that have been
8 identified?

9 And Mr. Rizy?

10 THE WITNESS: Yes, sir. James Rizy.

11 THE COURT: Thank you, Mr. Rizy.

12 Anyone else?

13 All right. The State has invoked the --

14 the State and Defense have invoked the Rule in this
15 case. That means that you may not discuss the case with
16 each other or anybody else or be in the presence of
17 anyone that's discussing the case that's a prospective
18 or has testified as a witness. Failure to do so can
19 result in you being held in contempt of court or
20 being -- your testimony stricken from the case.

21 Furthermore, you may not be present in the
22 courtroom while the testimony in the case is ongoing.

23 So, therefore, at this time you are all excused to

24 remain outside the courtroom. Thank you very much.

25 MR. MOORE: Your Honor?

MR. CUMMINGS: We have agreed to allow Mr. Porter and Mr. Rizy be exempt from the Rule.

THE COURT: Mr. Porter and Mr. Rizy, by agreement, are excused from the Rule. Thank you very much.

Ma'am, in the blue, since you're a witness, you're excused. You must wait outside.

(Witnesses exit courtroom)

MR. MOORE: Could we take two minutes, since everybody is already out, and then we won't have to stop --

THE COURT: All right. We'll be taking a brief recess for about ten minutes. Thank you very much.

(Recess from 10:34 a.m. to 10:54 a.m.)

(Open court, Defendant present, no jury)

THE COURT: All right. Both sides ready to proceed?

MR. BRISSETTE: The State's ready.

THE COURT: Bring in the jury.

(Jury present)

THE COURT: Please be seated.

State, call your next witness.

MR. GILL: We call Audria Hastings.

THE COURT: Ms. Hastings, I previously

63

swore you. You took your oath outside the presence of the jury; is that correct?

THE WITNESS: Yes, sir.

THE COURT: You're still under oath.

You may proceed, State.

STATE'S DIRECT EVIDENCE

AUDRIA HASTINGS,

having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. GILL:

Q. You're soft-spoken. Could you pull the microphone up to you, please, the best you can?

Tell the jury your name, please.

A. Audria Hastings.

Q. Ms. Hastings, when you're able to work, what is your profession?

A. I'm a kindergarten teacher.

Q. And do you teach for a particular school district?

A. Yes. I teach for Kennedale ISD.

Q. And what is your educational background?

A. I went to school at Abilene Christian University and got a BS in Interdisciplinary Studies, EC through 4.

Q. And in what year did you get your degree?

A. I got my degree in 2005.

Q. And after that, did you go to work for Kennedale ISD?

A. No, sir. I went to work for a private school for two years, and then I got a job at Kennedale, and I've worked there for -- this was my fourth year.

Q. So were you a schoolteacher at Kennedale ISD for the 2009-2010 school year?

A. Yes, sir.

Q. And what school were you assigned to?

A. James F. Delaney Elementary.

Q. And where is that located?

A. It's off of Business 287 near I-20 in Kennedale.

Q. Is Business 287 the main street that runs through Kennedale?

A. Yes, sir.

Q. And what grade or what -- what age group were you teaching that year?

A. I teach -- I taught kindergarten, five and six-year-olds.

Q. What did the school day consist of at Kennedale ISD for kindergartners?

A. They showed up at about -- the tardy bell rang at 8:06, and I'd greet them at the door, and they come

65

in, and we would do morning work to get busy, and then I would teach them math and reading, science, social studies.

Q. So it was a pretty full curriculum?

A. Yes, sir.

Q. How large a class did you have back at that time?

A. It varies between the year. In the year I'd have kids come and go, but around 22.

Q. And during that school year, was one of the students you taught a young lady by the name of Jodi Hummel?

A. Yes, sir.

Q. And did you have Jodi Hummel in your class at the beginning of the school year?

A. Yes, sir.

Q. Now, what -- were there different breaks during school -- during the school year?

A. What do you mean by "breaks"?

Q. Did you have a Christmas break?

A. Oh, yes, sir.

Q. Okay. So what did the last week before Christmas break consist of that year?

A. We -- just regular school-day stuff, and we had a Christmas -- or end-of-the-year part -- holiday party

1 time to time?
 2 A. Yes, sir.
 3 Q. And what did you do with those videotapes
 4 once -- once you were able to do that?

5 A. Our school has us keep a website to keep the
 6 parents updated, and so I would film them doing
 7 activities in their classrooms, that way the parents
 8 could kind of see what they would do on a daily basis in
 9 our classroom.

10 Q. And did -- did a couple of those videotapes
 11 that you took include Jodi?

12 A. Yes, sir.

13 Q. And was there one that is entitled something
 14 having to do with a pumpkin?

15 A. Yes. I would kind of explain to them what we
 16 were doing in class that week, and we were learning
 17 about pumpkins.

18 Q. Okay. And is there also one entitled
 19 "Christmas"?

20 A. Yes, sir.

21 Q. Now, let me hand you what's been marked as
 22 State's Exhibit No. 411 and ask if you recognize State's
 23 Exhibit No. 411?

24 A. Yes, sir.

25 Q. Is this a copy of the videotapes that were --

71

1 that appeared of Jodi on your school website?

2 A. Yes, sir.

3 Q. Did you have an opportunity to view State's
 4 Exhibit 411 this morning?

5 A. Yes, sir.

6 Q. And is it an accurate copy of the videotapes
 7 that you took?

8 A. Yes, sir.

9 MR. GILL: Your Honor, we're going to offer
 10 State's 411.

11 MR. CUMMINGS: Your Honor, I'm going to
 12 object to State's Exhibit 411 on the -- on the basis of
 13 relevance for this portion of the trial.

14 THE COURT: All right. I need to take a
 15 look at 411. Ladies and gentlemen, please excuse
 16 yourself to the jury room. Thank you very much.

17 (Jury not present)

18 THE COURT: Please be seated.

19 All right. State, what's the purpose of
 20 you offering 411?

21 MR. GILL: Among our burden of proof is to
 22 show that Jodi Hummel was alive and well on July 17th of
 23 2009.

24 THE COURT: Thank you. May I see the
 25 video, please?

1 And have both sides reviewed 411?

2 MR. BRISSETTE: The State has, Your Honor.

3 THE COURT: All right.

4 MR. CUMMINGS: We were provided a copy in
 5 recent discovery -- I think it was last week -- and I
 6 have looked at them, yes.

7 THE COURT: All right. State, you may
 8 proceed.

9 How long is the video?

10 MR. BRISSETTE: Under five minutes, Judge.

11 THE COURT: All right. Thank you.

12 (State's Exhibit No. 411 published)

13 THE COURT: Can you pause it for a moment?
 14 The first child that I saw, was that the child?

15 MR. BRISSETTE: Yes, Your Honor.

16 THE COURT: The Hummel child?

17 MR. BRISSETTE: Yes.

18 THE COURT: You may proceed.

19 (State's Exhibit No. 411 published)

20 THE COURT: Is that the end of the video?

21 MR. BRISSETTE: There's two, Your Honor, on
 22 this 411.

23 (State's Exhibit No. 411 published)

24 THE COURT: Pause it.

25 All right. And where's the Hummel child in

73

1 this photograph or the -- the series of the video, if
 2 you have your marker?

3 Thank you.

4 All right. You may proceed.

5 (State's Exhibit No. 411 published)

6 MR. BRISSETTE: Judge, that's all. That's
 7 all that's on 411.

8 THE COURT: All right. Turn on the lights.

9 Defense, your objection is overruled.

10 MR. CUMMINGS: Your Honor, we -- may I pose
 11 another objection?

12 THE COURT: You may.

13 MR. CUMMINGS: This exhibit is more
 14 prejudicial than probative. The State indicated that
 15 they needed to prove that she was living in order to
 16 prove their accusations in their Indictment. They're
 17 proceeding on that Indictment. We're proceeding on the
 18 Indictment only that applies to Clyde Bedford and Joy
 19 Hummel. This is an extraneous to this particular trial.

20 THE COURT: Response, State?

21 MR. GILL: It would be classic same
 22 transaction contextual evidence, Judge. We cannot -- we
 23 cannot prove one -- one series of transactions without
 24 proving the other.

25 THE COURT: Defense, your objection is

1 overruled.

2 Both sides ready for the jury?

3 MR. BRISSETTE: Yes, Your Honor.

4 (Jury present)

5 THE COURT: State's Exhibit 411 is admitted

6 over the Defense's objection.

7 (State's Exhibit No. 411 admitted)

8 THE COURT: You may proceed.

9 MR. GILL: May we publish it, Your Honor?

10 THE COURT: Pardon?

11 MR. GILL: May we publish it?

12 THE COURT: You may.

13 (State's Exhibit No. 411 published)

14 THE COURT: You may proceed.

15 Q. (BY MR. GILL) So, Ms. Hastings, what was the
16 purpose of the video?

17 A. Just to kind of give the parents an idea of
18 what we've been talking about all week, and so that way
19 when their kids come home and tell them, you know, they
20 didn't learn anything at school, they could at least
21 have a video to say, Well, I know Ms. Hastings taught
22 you about pumpkins; just tell me about that.

23 Q. And we saw Jodi Hummel on a couple of places on
24 that video; is that correct?

25 A. Yes, sir.

75

1 Q. Was she the young, blond-headed girl wearing
2 the light-colored, smock-type dress?

3 A. Yes, sir.

4 MR. GILL: Publish the other one?

5 (State's Exhibit No. 411 published)

6 Q. (BY MR. GILL) And on that particular video,
7 was Jodi Hummel the girl with -- in the upper right-hand
8 corner of the -- of the group of children?

9 A. Yes, sir.

10 Q. And that video was made to illustrate what?

11 A. The different traditions that we use around
12 Christmastime.

13 MR. GILL: We pass the witness, Your Honor.

14 THE COURT: Cross-examination.

15 MR. CUMMINGS: Thank you, Your Honor.

16 CROSS-EXAMINATION

17 BY MR. CUMMINGS:

18 Q. Ms. Hastings, my name is Fred Cummings. We
19 haven't met, have we?

20 A. No, sir.

21 Q. I just have a brief series of questions for
22 you. If I ask you something you don't understand, just
23 let me know. Okay?

24 A. Yes, sir.

25 Q. I believe you testified that you met with

1 Jodi's parents.

2 A. Yes, sir.

3 Q. When was that?

4 A. The beginning of the school year, so probably
5 around September.

6 Q. Was that a formal parent/teacher conference or
7 something like that?

8 A. Yes, sir.

9 Q. Was that on a night when there were other
10 parents who were present with their children as well?

11 A. No, sir.

12 Q. So this was a one-on-one with the Hummel
13 family?

14 A. Yes, sir.

15 Q. Was John Hummel part of that process?

16 A. Yes, sir.

17 Q. Okay. Thank you, ma'am.

18 MR. CUMMINGS: That's all I have, Judge.

19 THE COURT: Redirect?

20 MR. GILL: None, Your Honor. May she be
21 excused?

22 THE COURT: Defense?

23 MR. CUMMINGS: Yes, Your Honor.

24 MR. MOORE: I would like her to be --

25 remain subject to the Rule. She's free to go.

76

1 THE COURT: All right. Just leave us a
2 number where we can reach you. Thank you very much.
3 You may step down, ma'am.

4 (Witness retires)

5 THE COURT: State, call your next witness.

6 MR. BRISSETTE: Connie Smith.

7 THE COURT: Ms. Smith, please.

8 (Witness enters courtroom)

9 THE COURT: Ms. Smith, please come up.

10 Ms. Smith, have you been previously sworn
11 in as a witness?

12 THE WITNESS: No, sir, I have not.

13 THE COURT: Please raise your right hand.

14 (Witness sworn)

15 THE COURT: Please be seated, ma'am.

16 Mr. Brissette, you may proceed when you're
17 ready.

18 MR. BRISSETTE: Thank you, Your Honor.

19 CONSTANCE ANN SMITH,

20 having been first duly sworn, testified as follows:

21 DIRECT EXAMINATION

22 BY MR. BRISSETTE:

23 Q. Ma'am, could you please introduce yourself to
24 the jury?

25 A. Yes. My name is Constance Ann Smith. I go by

1 Connie Smith, and I'm the school nurse at James Delaney
2 Elementary.

3 Q. And is that in the Kennedale ISD School
4 District?

5 A. Yes, sir, it sure is.

6 Q. You're the school nurse. Are you a registered
7 nurse then in the State of Texas?

8 A. Yes, sir, I am. Have been for about 17 years
9 now.

10 Q. Have you worked all those 17 years at Delaney,
11 or have you worked elsewhere as a nurse?

12 A. I have worked other places. I've done 12 years
13 at Delaney Elementary. Then I've done a year at Cook's.
14 I've worked at JPS, I've worked at Plaza Medical, lots
15 of different hospitals.

16 Q. When did you come to work at Delaney?

17 A. Originally, back in 1998, and then two, three
18 years ago, I did a year at Cook's, and then it was two
19 years ago that I went back to James Delaney.

20 Q. And Cook's, that would be the children's
21 hospital here in Fort Worth?

22 A. Yes, sir. I worked in the epileptic monitoring
23 unit.

24 Q. How many students do you have at Delaney in any
25 given year?

79

1 A. This year about 750, as opposed to the first
2 year when I started, it was about 5 -- just over 500,
3 so...

4 Q. What are the duties of a school nurse?

5 A. Oh, I have lots of duties. Of course, I give
6 out medications to students that need them. I
7 administer first aid to students that need them, just
8 whatever is necessary. If your child is ill, you know,
9 I try to notice what's going on, call the parent, have
10 the parent come pick them up. If the child is injured,
11 let's say if they've got a broken bone or something, I
12 stabilize it until we can get medical help, just various
13 different things.

14 Q. Did you have an occasion, back in the fall
15 semester of 2009, to come to know a young lady by the
16 name of Jodi Hummel?

17 A. Yes, I did. I had her come in -- I can't
18 remember the exact day. I know it was written on that
19 little note. But, yes, she had come in. She had fallen
20 on the playground, and I guess she ended up hitting her
21 lip.

22 And -- and she was -- had a little teeny
23 sore on there, and, of course, we cleaned her up and put
24 ice and everything. And she was crying a bunch, so we
25 called Mom, and Mom talked with her on the phone a

1 little bit, and then Mom came up to see her, which I
2 thought was real nice.

3 Q. Were you able to -- let me go back here a
4 second.

5 In the nurse's station at Delaney,
6 Kennedale ISD, you have a computer system; is that
7 correct?

8 A. Yes, sir. Yes. I generally try to log every
9 student -- once we went to the computer system, I try to
10 log them into the computer and, you know, give quick
11 details. I log what time the student comes in. I log
12 what time the student leaves my office. I log what we
13 do, like if we end up calling a parent, then I try to
14 write that down, too. If the child has a fever, I try
15 to write that down also, just the various different
16 things that we do, I try to put those in there.

17 Q. And I got to meet with you in the nurse's
18 station?

19 A. Yes, sir.

20 Q. With your green wooden bench --

21 A. Yes.

22 Q. -- that's there back June the 3rd around
23 lunchtime; is that correct?

24 A. Yes, sir.

25 Q. At that time were you able to generate a report

81

1 for us involving one Jodi Hummel?

2 A. Yes, sir, I sure did. I had looked up her
3 student ID number. We have student health files that we
4 keep, and we try to put everything in there, including
5 their -- their shot records and things like that and how
6 they do in their hearing and vision and all. And so I
7 knew that I still had that. I went and looked it up and
8 was able to find her student ID number so that I could
9 find that record, yes, sir.

10 MR. BRISSETTE: May I approach the witness,
11 Your Honor?

12 THE COURT: You may.

13 Q. (BY MR. BRISSETTE) Ma'am, I'm going to show
14 you what's been marked for identification purposes as
15 State's 224 -- 224. Can you take a second and see if
16 you recognize the white piece of paper labeled 224?

17 A. Yes, sir. This is the paper that I printed
18 out, yes, sir, from that -- from that -- the 17th, yes,
19 sir.

20 Q. Does it have a particular student's name and an
21 ID number?

22 A. Yes, sir, it sure does. It has Jodi's name,
23 and then it has her student ID number that, like I said,
24 I had to look that up, so, yes, sir.

25 Q. And the information that's contained in here

1 appears to have a transaction date of the 17th day of
2 December, 2009.

3 A. Yes, sir.

4 Q. Would that have been the time that a person
5 wrote this into the computer system or typed it in the
6 computer system?

7 A. Actually, yes, and -- and I try to be as
8 accurate when the student comes in to the time to get
9 the time correct, so it's not like I go back later and
10 try to put that in there. I actually try to get that.
11 That's why the number says 12:19 as opposed to some even
12 number like 12:10 or something.

13 Q. And are you the person that entered the
14 comments fields on State's 224?

15 A. Yes, sir, that would be me.

16 Q. And were those made then on December the 19th,
17 2000 -- or December the 17th, 2009, when these events
18 were fresh in your mind?

19 A. Yes, sir. Yes, sir. Before -- in fact, the
20 last statement I wrote where it's "mom walked student
21 back to class," that would be right at that time that
22 they left at 1:17, yes, sir.

23 Q. And this is something that's kept in the normal
24 course of business of you as a nurse at Delaney
25 Elementary; is that correct?

83

1 A. Yes, sir, yes, sir. I do this for every
2 student that comes through.

3 MR. BRISSETTE: Your Honor, at this time
4 the State would tender to Defense Counsel State's
5 Exhibit 224, offer it for all purposes.

6 MR. CUMMINGS: Your Honor, I'm not going to
7 have an objection to that.

8 THE COURT: State's 224 is admitted.
9 (State's Exhibit No. 224 admitted)

10 MR. BRISSETTE: May it be published as
11 well, Your Honor?

12 THE COURT: It may.

13 Q. (BY MR. BRISSETTE) Ma'am, when we visited with
14 you last week, do you recall whether or not you were
15 able to console and get Jodi to calm down after the
16 small laceration?

17 A. Actually, I remember that I was unable to.
18 Generally, I try to get the kids to think about other
19 things, you know, ask them about other things, what
20 their favorite movie might be, what they like to play or
21 what, and I was unable to console her. And so I did
22 call Mom on the phone, spoke with her, told Mom what
23 went on, and I asked Mom if she would please talk to her
24 daughter on the phone.

25 And so she did. Mom did talk with her

1 for -- for a few moments, and then they passed the phone
2 back -- she passed the phone back to me, and then I
3 talked with Mom and Mom said that she would come up and
4 sit with her, so...

5 Q. What is the address at -- for Delaney?

6 A. It is 203 Clover Lane.

7 Q. And do you know the phone number?

8 A. To the main office?

9 Q. Yes, ma'am.

10 A. Yes, I do. It's (817) 563-8400.

11 MR. BRISSETTE: May I approach the witness,
12 Your Honor?

13 THE COURT: You may.

14 Q. (BY MR. BRISSETTE) Ma'am, I'm going to show
15 you what's been marked for identification purposes as
16 State's 269. Do you recognize the -- the name of your
17 school, the address and the phone number you just read
18 out there?

19 A. Yes, sir.

20 Q. On --

21 A. Yes, sir.

22 Q. On the second page of 269?

23 A. Uh-huh.

24 Q. Is that yes?

25 A. Yes, sir.

85

1 Q. All right. Finally, State's Exhibit No. 1, is
2 this the person you treated there at the lunch hour on
3 December the 17th, 2009?

4 A. Yes, that's Jodi.

5 MR. BRISSETTE: Thank you, Your Honor.
6 We'll pass the witness.

7 THE COURT: Cross-examination.

8 MR. CUMMINGS: Thank you, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. CUMMINGS:

11 Q. Good morning, Ms. Smith.

12 The records that you just authenticated to
13 be introduced into court, those are the records that you
14 maintain regarding the students there at school, right?

15 A. Yes, sir.

16 Q. That is the only excerpt or only record that
17 you could find that pertained to Jodi Hummel; is that
18 correct?

19 A. For that day, yes. I saw her once before
20 earlier in the year. I think she had fallen and hurt
21 her knee or something, but that was the only one for
22 that day, yes, sir.

23 Q. Okay. The -- and was that on your computer as
24 well?

25 A. Yes, sir.

1 Q. Were there any other entries besides those two?

2 A. Not besides the hearing and vision screens that
3 we do on all incoming kindergartners, and we have those
4 done before the semester is over, and generally, I do
5 those in September, October, so she would have already
6 been done.

7 Q. Okay. So on two occasions when she suffered a
8 traumatic injury -- a playground injury or whatever, she
9 came to you and you took care of her, correct?

10 A. Yes, sir.

11 Q. And those were both injuries that occurred
12 there on -- on the premises --

13 A. Yes, sir.

14 Q. -- of the school?

15 MR. CUMMINGS: Thank you, ma'am.

16 That's all I have, Judge.

17 THE COURT: Redirect?

18 REDIRECT EXAMINATION

19 BY MR. BRISSETTE:

20 Q. Who did you sign out Jodi to? On that 17th,
21 did Jodi come to see you -- who picked Jodi up from the
22 nurse's station?

23 A. Oh, her mom did. It was her mom. Like I said,
24 when I had called, her mom said she would come and talk
25 with her, sat with her on the bench for a little

87

1 bit and -- and then mom walked with her back to class.

2 Q. So at the lunch hour on Thursday, December
3 17th, 2009, did Jodi's mother, Joy, appear to be in good
4 health, based on your medical training?

5 A. Oh, yes. She seemed to be in very good health.
6 She was actually very happy. She had told me, sitting
7 on my bench talking with her daughter, that she was
8 expecting a child, and she was very excited about that.

9 Q. Thank you.

10 MR. BRISSETTE: Pass the witness.

11 THE COURT: Any other questions?

12 MR. CUMMINGS: No, Your Honor.

13 THE COURT: May the witness be excused?

14 MR. BRISSETTE: Please, Your Honor.

15 MR. CUMMINGS: Yes, Your Honor; however, we
16 would like -- and we will probably do this with every
17 witness -- that she remain under the Rule.

18 THE COURT: All right. Ms. Smith, let me
19 just advise you, you have -- you weren't up here
20 earlier. You may not discuss your testimony with anyone
21 or anybody else. The only people you may discuss your
22 testimony with is the respective parties, and you may
23 not be around when other people are talking about their
24 respective testimonies or people who are prospective
25 witnesses. Do you understand?

1 THE WITNESS: Yes, sir, I do.

2 THE COURT: Thank you, Ms. Smith. You're
3 excused. Thank you very much.

4 (Witness retires)

5 THE COURT: State, call your next witness.

6 MR. GILL: Lorie Lewallen.

7 THE COURT: Ms. Lewallen, please.

8 (Witness enters courtroom)

9 THE COURT: Would you please re -- retrieve
10 your exhibit?

11 Ms. Lewallen, I've already placed you under
12 oath; is that correct?

13 THE WITNESS: Yes, sir.

14 THE COURT: You're still under oath.

15 Please be seated and answer the questions proper --
16 appropriately.

17 State, you may proceed.

18 LORIE LEWALLEN,

19 having been first duly sworn, testified as follows:

20 DIRECT EXAMINATION

21 BY MR. GILL:

22 Q. Tell the jury your name, please.

23 A. Lorie Lewallen.

24 Q. And, Ms. Lewallen, how are you occupied or
25 employed?

89

1 A. I'm sorry?

2 Q. What type of work do you do?

3 A. I work at a barbecue restaurant.

4 Q. And what city is that located in?

5 A. Burleson.

6 Q. And before going to work for the barbecue
7 restaurant, where were you working?

8 A. I worked at Huddle House.

9 Q. And where is Huddle House located?

10 A. Joshua, Texas.

11 Q. And do you know the -- the physical address?

12 A. Oh, I couldn't tell you the address. I know
13 it's Highway 174, but I'm -- my mind is blank. I
14 couldn't tell you.

15 Q. Okay. And -- and -- and where is Joshua
16 located in relation to the rest of the Metroplex?

17 A. It's in between Burleson and Cleburne.

18 Q. And does Highway 174 then run from --

19 A. From Burleson all the way to Cleburne.

20 THE COURT: All right, just a moment.

21 Ma'am --

22 THE WITNESS: I'm sorry.

23 THE COURT: That's all right. You have to
24 wait until the Prosecutor or the attorney's done asking
25 their question. She cannot take down two conversations

1 at the same time.

2 THE WITNESS: I'm sorry.

3 THE COURT: So wait for him to finish his
question, answer, and I assure you he will wait for
yours. Thank you.

6 Q. (BY MR. GILL) So Highway 174 runs from?

7 A. Burleson to Cleburne.

8 Q. Okay. How large a city is Joshua?

9 A. I think the last time I seen a sign, there
10 was -- I can't remember -- either 3100 or 5100 people.
11 I'm not for sure.

12 Q. So it's a small town?

13 A. Fairly.

14 Q. Do you live in Joshua?

15 A. Yes, sir.

16 Q. Whereabouts in Joshua, just generally, do you
17 live?

18 A. I live right behind Huddle House.

19 Q. Okay. And are there some apartments nearby
20 where you live?

21 A. Yes, sir.

22 Q. What are those apartments called?

23 A. Misty Hollow.

24 Q. So they're located fairly close to the Huddle
25 House?

91

1 A. Yes, sir.

2 Q. Now, is there also an E-Z Mart convenience
3 store gas station located in Joshua?

4 A. Yes, sir.

5 Q. And where is that located in relation to the
6 Huddle House?

7 A. It's about a mile or two down the road.

8 Q. Now, back in December of 2009, were you working
9 at the Huddle House?

10 A. Yes, sir.

11 Q. And what was your shift? What hours did you
12 work at that time?

13 A. 5:00 to 2:00.

14 Q. 5:00 --

15 A. 5:00 in the morning -- excuse me, because they
16 switched. I'm sorry. It was 10:00 at night to 6:00 in
17 the morning.

18 Q. Did you work there with anyone else generally
19 during that shift?

20 A. Yes, sir.

21 Q. Who was that?

22 A. The server.

23 Q. Okay. Who?

24 A. Emilee Robinson.

25 Q. Okay. And what were your duties at the Huddle

1 House at that time?

2 A. I was the shift leader, head cook.

3 Q. Now, during the time you worked at the Huddle
4 House, particularly on December 16th of 2009, did a
5 particular individual patronize the Huddle -- the Huddle
6 House?

7 A. Yes, sir.

8 Q. Do you -- did you later come to learn his name
9 to be John Hummel?

10 A. Yes, sir.

11 Q. Do you see that individual in the courtroom
12 today?

13 A. Yes, sir.

14 Q. Would you point him out, please, and describe
15 what he's wearing today for the jury?

16 A. Green striped shirt, black tie -- brown tie
17 with a white shirt, beige shirt.

18 Q. And is he the individual down here at the -- at
19 the --

20 A. Yes.

21 Q. -- far end of the table?

22 MR. GILL: Can the record reflect she's
23 identified the Defendant?

24 THE COURT: The record will so reflect.

25 Q. (BY MR. GILL) And so Mr. Hummel was coming

93

1 into your place of business in December of 2009?

2 A. Yes, sir.

3 Q. And was he generally dressed in the same type
4 of clothing when he came in?

5 A. No, sir.

6 Q. What type of clothing would -- was he dressed
7 in the first time -- several times you saw him?

8 A. He wore a work shirt, blue -- blue pants like
9 he was going to work.

10 Q. And did you find out from him, from conversing
11 with him, where he worked?

12 A. Yes, sir.

13 Q. Where was that?

14 A. At Walls in Cleburne, Texas.

15 Q. And what is Walls?

16 A. It's a hospital.

17 Q. Is it also -- has it now become part of the
18 Harris Southwest System?

19 A. Yes, sir, I think so.

20 Q. And it's located in Cleburne -- in Cleburne,
21 Texas?

22 A. Yes, sir.

23 Q. Did Mr. Hummel drive a particular type of
24 vehicle that you noticed?

25 A. I want to say it was a van, but I'm not for

1 sure the color.

2 Q. Did you find out from him where he lived?

3 A. We just -- we talked about it.

4 Q. Okay. Where did he live?

5 A. Told us Kennedale.

6 Q. Did he tell you why he would -- why he would be
7 at your place of business in the evenings?

8 A. Said he was on his way to work.

9 Q. What, generally -- if you would see him late in
10 the evening, he'd be on his way to work?

11 A. Either coming or going. I'm not for sure.

12 Q. Did you talk to him about his home life?

13 A. Tried, but he wouldn't state anything.

14 Q. Okay. Did you ask him whether or not he was
15 married?

16 A. I asked him where his wife was, and he just
17 never would say anything.

18 Q. Now, did you happen to see him on December the
19 16th of 2009?

20 A. Yes, sir, I did.

21 Q. Was that night unusual as far as his appearance
22 at the -- at the restaurant goes?

23 A. Was it unusual?

24 Q. Yes.

25 A. Very.

95

1 Q. Why was that?

2 A. Well, he had street clothes on. When he walked
3 in the restaurant, he reeked of cologne like he just
4 poured a whole bottle. He was very quiet. Normally he
5 would sit in the booth facing me and watch me cook,
6 because he ate the same thing every time he came in, and
7 that particular night, he wouldn't face me.

8 Q. So he was -- that particular night he faced
9 away from you?

10 A. Yes, sir.

11 Q. And he was dressed in street clothing?

12 A. Yes, sir.

13 Q. What -- can you generally describe what he was
14 wearing?

15 A. It was a T-shirt. I want to say it had a
16 dragon print, some shiny -- I want to say it was a
17 dragon, but I'm not for sure, but it was T-shirt type
18 with blue jeans on.

19 Q. Was his -- was his demeanor or his disposition
20 different that night?

21 A. Oh, yes, sir.

22 Q. And how was that?

23 A. He was just very quiet.

24 Q. And how was he usually?

25 A. He talked to us, me and the server, and we

1 would joke, you know, because that's what we do with all
2 our customers and -- to get them to come back, and this
3 particular night, he just -- it was just like something
4 was on his mind.

5 Q. Was the restaurant busy that night?

6 A. No. When he came in, it was just me and Emilee
7 in there.

8 Q. Okay. So he was the only -- only customer in
9 the restaurant during that period of time?

10 A. In --

11 Q. And did he eat what he normally ate that night?

12 A. Yes, sir.

13 Q. And at some point did he leave?

14 A. Yes, sir.

15 Q. Now, did something happen in the days following
16 that led you to call the Kennedale Police Department?

17 A. Uh-huh.

18 Q. What was that?

19 A. I saw his picture on the TV.

20 Q. And after you saw his picture on TV, did you
21 take it upon yourself to contact the Kennedale Police
22 Department?

23 A. Yes, sir, I did.

24 Q. And what did you tell the Kennedale Police
25 Department?

97

1 A. I told them I had a person of interest that I
2 just saw his name -- or his picture on the TV and he had
3 been in my restaurant the night before.

4 Q. And did the -- did the television broadcast
5 have to do with people looking for Mr. Hummel?

6 A. I don't remember. I just saw his picture, and
7 they said what happened, and I just couldn't believe it.

8 Q. You wanted to let the police know what you knew
9 about the situation?

10 A. Yes, and that he had been in there.

11 Q. Ms. Lewallen, I'm going to show you what's been
12 marked as State's Exhibits No. 234 and 264 through 268,
13 and ask you if you could take a look at those and tell
14 me if you recognize the scenes depicted in each of
15 those.

16 A. Yes, sir, I do. Yes, sir.

17 Q. And do State's Exhibit 264 through 268, are
18 those still photographs from a video that was recorded
19 in your restaurant?

20 A. Yes, sir.

21 Q. And do each of them show Mr. Hummel as he
22 appeared in your restaurant on December 16th of 2009?

23 A. Yes, sir.

24 Q. And, in fact, does the time and date stamp
25 appear on each of those photographs?

1 A. Uh-huh.

2 Q. Letting us know exactly what date and time he
3 was in your restaurant?

4 A. Yes, sir.

5 Q. And with regard to State's Exhibit No. 234, do
6 you recognize also State's 234?

7 A. Yes, sir.

8 Q. And what does State's Exhibit No. 234 show?

9 A. It shows a uniform shirt. Tore up shirt.

10 Q. Is that the type of uniform shirt that Mr.
11 Hummel generally wore when he was in your place of
12 business?

13 A. Yes, sir.

14 MR. GILL: Your Honor, we're going to offer
15 State's 234 and 264 through 268.

16 I'm sorry. The shirt is 434 and then
17 460 -- I'm sorry -- 264 through 268.

18 THE COURT: I'm sorry. I couldn't hear
19 you.

20 MR. GILL: 434 and 264 through 268.

21 THE COURT: Thank you.

22 MR. CUMMINGS: May I have just a moment,
23 Your Honor?

24 THE COURT: You may.

25 MR. CUMMINGS: Your Honor, I'd like to ask

99

1 Ms. Lewallen some voir dire questions on -- specifically
2 just on State's Exhibit 434.

3 THE COURT: Proceed.

4 MR. CUMMINGS: Thank you.

5 VOIR DIRE EXAMINATION

6 BY MR. CUMMINGS:

7 Q. Ms. Lewallen, can you see what I'm asking you
8 about from this distance, or do you need me to approach?

9 A. I can see it.

10 Q. Okay. Are you telling this jury that that is
11 John Hummel's shirt?

12 A. I don't know if that is his particular shirt,
13 but that's what type shirt he wore when he came in the
14 restaurant.

15 Q. Type shirt, can you be -- can you clarify that
16 a little bit or expand on that?

17 A. What do you mean?

18 Q. When you say, "type shirt"?

19 A. That was the -- the work shirt -- I mean, the
20 shirt -- work shirt that I seen when he came in our
21 restaurant.

22 Q. A security uniform?

23 A. Yes, sir.

24 Q. With a light blue -- light blue in color with
25 red epaulets, correct?

1 A. Yes, sir.

2 Q. Okay. So your testimony is that 464, State's
3 Exhibit 464, is similar to the shirt that he wore?

4 A. Yes, sir.

5 Q. Okay. You haven't seen the -- the exhibit that
6 is depicted in State's 464, have you?

7 A. I don't understand what you're saying.

8 Q. That's fine. Thank you for correcting me.

9 Have you seen the actual shirt that's
10 photographed in this picture?

11 A. The one he had on, yeah. But other than the
12 picture, I don't understand what you're saying.

13 Q. Have you seen this shirt?

14 A. If he wore it, yes, I did.

15 Q. Okay. You're qualifying it. If he wore it.

16 In other words, you can't say for sure that this is his
17 shirt, can you?

18 A. Oh, yeah, because he -- I mean, he came in with
19 that shirt on, and yes, that's his shirt.

20 Q. How are you able to say it's his shirt?

21 A. He wore a work shirt just like that when he
22 came in the restaurant.

23 Q. Okay. So it's similar, right?

24 A. I don't really know what to say. I mean, he
25 wore a shirt just like that, so...

101

1 Q. The -- but as we see in the other exhibits, 264
2 through 267, that's not the shirt that he had on when he
3 was videotaped in your restaurant on 12/16/09?

4 A. Not a work shirt, no.

5 Q. Okay.

6 MR. CUMMINGS: We're going to object to the
7 introduction of State's Exhibit 434. I don't believe
8 that she can testify truthfully that this fairly and
9 accurately depicts John Hummel's security guard uniform
10 shirt.

11 We have no objections to 264 through 267.
12 I'm sorry, 268. Apparently, I got them out of order.

13 THE COURT: All right. 264 to 268 is
14 admitted.

15 (State's Exhibits Nos. 264-268 admitted)

16 THE COURT: May I see the attorneys on the
17 side? And please bring up State's Exhibit 434.

18 (BENCH CONFERENCE PROCEEDINGS)

19 THE COURT: Okay. So what (sic) are you
20 offering 434?

21 MR. GILL: What am I offering it? Why? To
22 show that's what he wore as a general -- as -- as his
23 work uniform. It was also confiscated -- also turned
24 over via the consent to search from the Kennedale Police
25 Department, and we did some DNA testing on it.

1 THE COURT: Okay. But you're not offering
2 it for the purposes of this is the exact uniform?

3 MR. GILL: No, not at this time.

THE COURT: Not at this --

MR. GILL: This is showing it's -- it's
6 the -- it's the identical shirt to what he was wearing.
7 We're going to have probably four or five other
8 witnesses that are going to testify to that same thing.

9 THE COURT: That's okay.

MR. GILL: And we took it from the
11 Defendant via consent to search at the Kennedale Police
12 Department.

13 THE COURT: All right.

MR. GILL: That shirt -- and we will have
15 that very shirt in court.

16 THE COURT: Okay. Your objection is
17 overruled.

18 Subject to the remainder of the items that
19 need to be proven up with 434, I'm conditionally
20 admitting it.

21 MR. MOORE: Okay.

22 THE COURT: All right.

MR. CUMMINGS: He's going to get it in. I
24 just don't think this is the right...

25 THE COURT: All right. Thank you.

103

1 (OPEN COURT PROCEEDINGS)

2 THE COURT: Ladies and gentlemen, State's
3 434 is conditionally admitted.

4 (State's Exhibit No. 434 admitted)

MR. GILL: May we publish the photographs,
6 Your Honor?

7 THE COURT: You may.

8 DIRECT EXAMINATION (Cont'd)

9 BY MR. GILL:

10 Q. And, Ms. Lewallen, you see State's Exhibit No.
11 464 over here to your right. What does that show?

12 A. It shows my restaurant with me and Emilee
13 behind the counter, and he's sitting at the booth.
14 Nobody else in the restaurant.

15 Q. So on State's 464, this is you and Emilee --
16 I'm sorry -- 264, this is you and Emilee over here?

17 A. Yes, sir.

18 Q. And who is this individual right here?

19 A. John Hummel.

Q. And I think you testified earlier that he
generally sat on this side of the booth?

22 A. Yes, sir, every time.

23 Q. Okay. So this night was the first night he sat
24 over on this side of the booth?

25 A. Yes, sir.

1 Q. Every other night he had been dressed in the
2 blue work shirt we've been talking about here?

3 A. Yes, sir.

4 Q. And this was the first night he came in in the
5 civilian clothing?

6 A. Yes, sir.

7 Q. Was this the last night he ever came in the
8 Huddle House?

9 A. Yes, sir.

10 Q. State's 265, that show much the same scene?

11 A. Uh-huh.

12 Q. Only at 20:56?

13 A. Yes, sir.

14 Q. Is that the date and time stamp right here in
15 the bottom right-hand corner?

16 A. Yes, sir.

17 Q. And State's 266, likewise, same scene at your
18 Huddle House restaurant?

19 A. Yes, sir.

20 Q. And 267, what does that show?

21 A. Looks like he's leaving.

22 Q. And that's at 21:29 hours?

23 A. Yes, sir.

24 Q. 9:29 in the evening; is that correct?

25 A. Yes, sir.

105

1 Q. And State's 268, does that also show him on the
2 way out of the restaurant?

3 A. Yes, sir.

4 Q. Now, you said that he had a lot of cologne on
5 that night?

6 A. Yes.

7 Q. When did you first notice that he had a lot of
8 cologne on that night?

9 A. The minute he walked through the door.

10 Q. And did the -- did the whole restaurant smell
11 like cologne while he was there?

12 A. Yes, sir.

13 Q. So it was extremely strong?

14 A. Very.

15 Q. And State's Exhibit 434, that's the -- he wore
16 a shirt identical to that while he was in the Huddle
17 House on a normal basis?

18 A. Yes, sir.

19 Q. Okay.

20 MR. GILL: Can I pass this to the jury,
21 Your Honor?

22 THE COURT: You may.

23 MR. GILL: Pass the witness.

24 THE COURT: Cross-examination.

25 CROSS-EXAMINATION

1 BY MR. CUMMINGS:

2 Q. Ms. Lewallen, did you meet with a detective
3 after you called the police?

4 A. At Kennedale?

5 Q. Yeah.

6 A. They came to our restaurant, yes.

7 Q. Were you able to sit down and talk to them at
8 that time about what you had to tell them?

9 A. In between cooking, yes, sir, I did.

10 Q. Did you actually write out a statement for
11 them?

12 A. Yes, sir, I did.

13 Q. Did you provide the video for the detectives?

14 A. No, sir.

15 Q. Did you make them aware of it, and they
16 obtained it some other place or from some other person?
17 Is that what happened?

18 A. Yes, sir.

19 Q. Have you had an opportunity to review your
20 statement?

21 A. Say that again? I'm sorry.

22 Q. Have you ever seen the statement that you wrote
23 out that day since?

24 A. Yes, sir.

25 Q. Okay. On this -- are you depicted in this

107

1 particular frame we're looking at, State's Exhibit 267?

2 A. Yes, sir, I am.

3 Q. Are you -- are you this lady?

4 A. Yes, sir.

5 Q. And who is this?

6 A. That's Emilee. She's the server.

7 Q. She interacted with Mr. Hubble -- Hummel on
8 that night?

9 A. Yes, sir.

10 Q. Okay. You were primarily the supervisor and
11 the cook, correct?

12 A. I was shift leader.

13 Q. What does shift leader do?

14 A. It's just over the shift. You're just in
15 charge of making sure everything's done and the
16 restaurant's clean and...

17 Q. And your testimony is he came in, he was more
18 quiet than normal and sat in the opposite chair from the
19 one he normally sat in, correct?

20 A. Yes, sir.

21 Q. Okay. When you reviewed your statement, did
22 you see where you indicated that this was on the 17th of
23 December as opposed to the 16th of December?

24 A. Yeah. I -- I wasn't quite for sure on the
25 dates. I couldn't remember if it was a Thursday,

1 Friday, which I had told the officer that or the
2 detective that, and we tried to look for the receipt,
3 but we couldn't find it. So I knew it was one of
4 those -- it had to have been one of those days, the
5 16th, 17th.

6 Q. Okay. So you gave him an approximation of the
7 date --

8 A. Yes.

9 Q. -- as well as the time?

10 A. Yes, sir.

11 Q. Now, Mr. Hummel wasn't totally quiet. I mean,
12 we could see from State's Exhibit 267 and, I think, also
13 in 268, he's having a conversation with Ms. Robinson, is
14 he not, as he leaves?

15 A. Yeah, he would talk to us. I mean, he wasn't
16 just nothing, but he was nothing like he normally was
17 when he came in on previous occasions.

18 MR. CUMMINGS: That's all I have, Judge.
19 Thank you.

20 THE COURT: Redirect?

21 MR. GILL: Just a couple of questions, Your
22 Honor.

23 REDIRECT EXAMINATION

24 BY MR. GILL:

25 Q. From where you're standing in State's Exhibit

109

1 No. 267 and where Mr. Hummel is, were you able to smell
2 the cologne back there?

3 A. Oh, yeah. That's where I was, approximately,
4 when he walked in the door.

5 Q. And what are you doing back at that -- that
6 station where you are in this photograph?

7 A. Well, that's the dishwashing area, and at that
8 time we were getting ready to close our shift because we
9 left at 11:00, so I was cleaning. There's no telling.

10 I had a mop in front of me, so, I mean, I could have
11 been at the dishwasher washing, filling up. I mean, I
12 was all over the restaurant, so...

13 Q. Now, when Mr. Hummel first came in, did you
14 happen to say something to him about the cologne?

15 A. He -- when he sat down, I made a comment that
16 he smelt good, and he said, Well, it's better than me
17 stinking.

18 MR. GILL: Pass the witness.

19 THE COURT: Redirect (sic).

20 MR. CUMMINGS: No, Your Honor, that's all I
21 have for Ms. Lewallen.

22 THE COURT: Ms. Lewallen, you may step
23 down. Thank you very much.

24 MR. GILL: May she be excused, Your Honor?

25 THE COURT: Any objection?

1 MR. CUMMINGS: No, Your Honor, as long as
2 she's subject to the Rule.

3 THE COURT: All right. You're subject to
4 recall. You're still under the same Rule, Ms. Lewallen.
5 You may step down thank you.

6 (Witness retires)

7 THE COURT: All right. It's 12:00 o'clock,
8 ladies and gentlemen. It's time for us to take our
9 lunch break. Please remember the previous instructions
10 of the Court. Do not discuss this case with anybody,
11 even amongst yourselves.

12 We will return at -- we will resume at
13 1:30. Please be back at 1:15. Thank you.

14 (Jury not present)

15 THE COURT: Any matters from either side
16 before we break?

17 MR. GILL: No, Your Honor.

18 MR. CUMMINGS: No, Your Honor.

19 THE COURT: Thank you. All right. See you
20 at 1:15.

21 (Recess from 11:56 a.m. to 1:29 p.m.)

22 (Open court, Defendant present, no jury)

23 THE COURT: All right. Any matters from
24 either side before we begin?

25 MR. BRISSETTE: No.

111

1 MR. MOORE: No.

2 THE COURT: All right. Let's go ahead and
3 bring in the jury, please.

4 (Jury present)

5 THE COURT: Please be seated.

6 State, you may proceed.

7 MR. GILL: We call Whitnie Lee.

8 THE COURT: Whitnie Lee, please.

9 (Witness enters courtroom)

10 THE COURT: Ms. Lee, have I sworn you in
11 before?

12 THE WITNESS: Yes.

13 THE COURT: All right. You're still under
14 oath to tell the truth. Please be seated.

15 State, you may proceed when you're ready.

16 WHITNIE LEE,

17 having been first duly sworn, testified as follows:

18 DIRECT EXAMINATION

19 BY MR. GILL:

20 Q. Would you tell the jury your name, please?

21 A. My name is Whitnie Lee.

22 Q. And what city do you currently reside in?

23 A. Arlington.

24 Q. Okay. And did you live for a number of years
25 in Kennedale, Texas?

1 A. Yes.

2 Q. And how long did you live in Kennedale?

3 A. For about two years.

4 Q. And do you have relatives that still live in
5 Kennedale?

6 A. No, not at the moment.

7 Q. All right. Did your mother previously live in
8 Kennedale?

9 A. Yes.

10 Q. And what area of Kennedale did she live in?

11 A. Directly across the street from the Kennedale
12 Police Department.

13 Q. So it'd be just a -- a block or two off of
14 Highway 287?

15 A. Yes.

16 Q. Let me direct your attention back to December
17 17th of 2009. Do you recall what you were doing that
18 evening?

19 A. Yes.

20 Q. What were you doing?

21 A. I was trying to get my car towed from Walmart
22 parking lot. It had broke down.

23 Q. And which Walmart are we talking about?

24 A. The one on Sublett and 287 -- or is it 20?

25 Q. You tell us.

113

1 A. It's on Sublett.

2 Q. Okay. All right. So it's generally in the --
3 in the south -- south of downtown Fort Worth?

4 A. Uh-huh.

5 Q. Is that a yes?

6 A. Yes.

7 Q. Okay. And something happened to your car that
8 evening?

9 A. Yes.

10 Q. And what did you do to try to resolve the
11 situation?

12 A. I towed my car to my mother's house.

13 Q. Did you tow it, or did someone help you out
14 with it?

15 A. I had a friend help me.

16 Q. Who was that?

17 A. Well, I had my boyfriend, and then I had
18 another couple, a -- a man and a woman. My friends
19 helped me.

20 Q. What's your boyfriend's name?

21 A. His name is Gary Wagner.

22 Q. What are your two friends' names that helped
23 out?

24 A. There's Jeremiah and Kelly.

25 Q. What did Gary and Jeremiah and Kelly do to help

1 you out that evening?

2 A. We -- Gary had his work truck, and we towed my
3 car that was broke down to my mother's, and then Kelly
4 and Jeremiah followed in their car.

5 Q. Okay. So what time of day or night are we
6 talking about that all this happened?

7 A. When we were towing, it was about midnight.

8 Q. And did you take a particular route from the
9 Walmart where your car broke down to your mother's
10 house?

11 A. Yes.

12 Q. And -- and tell us the route that you took.

13 A. I went straight down Little Road and then to
14 Sublett, and then I took a right and I went across to
15 the police station where my mom lives.

16 Q. And what did you do with your car once you got
17 to your mother's house?

18 A. All I did was untie the tow strap and took off,
19 left.

20 Q. Okay. And where did you go when you left?

21 A. I went back to Arlington.

22 Q. Okay. Did you go back the same way you came?

23 A. Yes.

24 Q. And so that would be going up Sublett road?

25 A. Yes.

115

1 Q. And this time you took -- which direction did
2 you take when you got to Little Road?

3 A. Left.

4 Q. As you were driving up Sublett Road towards
5 Little Road, did you notice anything unusual?

6 A. Yes.

7 Q. What was it?

8 A. The fire.

9 Q. And where were you when you first noticed the
10 fire?

11 A. Coming down Sublett. I was a good distance
12 from it.

13 Q. Do you know which direction you were headed?

14 A. (Pointing).

15 Q. That way?

16 A. I don't know north, south, east that good.

17 Q. But you were -- at some point after you left
18 your mother's house, you were headed back where you'd
19 come from, and along your way, you noticed -- ahead of
20 you, you noticed a fire?

21 A. Uh-huh.

22 Q. What first caught your attention about the
23 fire?

24 A. The flames.

25 Q. Did you see smoke also?

1 A. Not at the -- not very first, no.

2 Q. Okay. And as you proceeded up Sublett Road,
3 were you getting closer to the flames?

4 A. Yes.

5 Q. Could you -- could you tell then where the
6 flames were coming from?

7 A. Yes.

8 Q. And where were they coming from?

9 A. A house.

10 Q. Where was the house located?

11 A. Directly in the middle at the T, directly
12 across from the T.

13 Q. Okay. So as you were driving up Sublett Road,
14 what road did the -- what road was the house on?

15 A. The house is on Little Road, and I'm coming up
16 Sublett, which would run directly into the house if not
17 for a stop sign.

18 Q. So Little Road runs in front of the house?

19 A. Uh-huh.

20 Q. And Sublett Road you were on runs directly into
21 Little Road at that point?

22 A. Yes.

23 Q. Was it a little fire, big fire?

24 A. No, it was huge. I thought it was the oil rig
25 at first, but it wasn't. We saw the house, and it

117

1 was -- I've never seen anything like it before in my
2 life, ever.

3 Q. Is there -- is there a drilling platform
4 nearby?

5 A. Uh-huh, it's on -- it's on Sublett to the
6 right.

7 Q. Before you get to the house?

8 A. Uh-huh.

9 Q. But once you passed the drilling platform, you
10 realized it wasn't that; it was --

11 A. It was a house. You could see the fire coming
12 out of the window crazy.

13 Q. As you were looking at the house as you were
14 driving up to it, which portion of the house was on
15 fire?

16 A. It was the back right room. The far back right
17 room was, I mean, completely torched, almost.

18 Q. Okay. But the -- were there flames coming out
19 the windows of that room?

20 A. Uh-huh. You could see that up the road.

21 Q. How high were the flames coming off the house?

22 A. I mean, huge, huge.

23 Q. Was -- at first was that the only place on the
24 house where you noticed flames?

25 A. At that time, yes, and as we drove up, it just

1 seemed like it just spread to the front. It just seemed
2 like it kept coming and kept coming way too fast.

3 Q. It spread on -- it spread on that side of the
4 house?

5 A. Uh-huh.

6 Q. Yes?

7 A. Yes, sorry.

8 Q. Okay. Did you notice anything else as you
9 drove up to the house?

10 A. Huh-uh. I knew that there were a -- that there
11 was a dog in the backyard. I knew that. I could hear
12 him, so, I mean, we called 9-1-1 as soon as we saw the
13 fire, and immediately an officer was present, so...

14 Q. Okay. So you realized the house was on fire.
15 What did you do?

16 A. Called 9-1-1.

17 Q. And how long were you there before an officer
18 showed up?

19 A. Like 20 seconds. It seemed like it was very
20 quickly.

21 Q. Could you hear his siren as he was approaching?

22 A. Uh-huh, yes, sir.

23 Q. So as you were approaching the house, did
24 you -- did you -- did y'all stop at the house?

25 A. Yes.

119

1 Q. Tell us how you did that.

2 A. We just pulled directly over like we were going
3 to pull into the driveway. We stayed close to the road,
4 though, because it was on fire. And then we called
5 9-1-1, and the officer had come and asked us to move
6 across the street, so we did that, and we were just
7 standing along the way.

8 Q. Now, before the officer actually arrived there,
9 did you get out of your car and do anything?

10 A. Yes. We went to -- to get the dog.

11 Q. Okay. You said you heard the dog?

12 A. I heard the dog, and I ran toward the left side
13 of the house, because the right side was on fire, went
14 towards the left side; and I saw that the dog wasn't
15 completely close to the house. It was set off a little
16 bit, but I still went and unlatched it, tried to let him
17 out because there was fire on the ground starting to
18 spread, so I went to try to let him out, but it
19 wouldn't -- he just stayed. He was too scared. He
20 wouldn't come out.

21 Q. And was your boyfriend with you at this time?

22 A. Yes.

23 Q. How about Jeremiah and Kelly?

24 A. Yes.

25 Q. So where -- where in relation to the house was

1 the dog located?

2 A. In the back, the backyard.

3 Q. So all four of y'all had run -- run around the
4 back of the house?

5 A. Yes.

6 Q. Did you notice anything about -- else about the
7 back of the house while you were back there?

8 A. Yes. The back door was open, and there was a
9 perfect ring of fire directly out the back doorway. The
10 door was already open, and we tried to look in there to
11 see, because we didn't want anybody to be in there, and
12 it was just too on fire. We couldn't see anything in
13 there.

14 Q. Was it on fire, was it smoky or -- or what?

15 A. Yeah. Black smoke started coming out. The
16 countertops were just in flames. You just -- you
17 couldn't see anything in there. It was bad.

18 Q. Now, had you seen people at that house
19 previously?

20 A. Yes, all the time.

21 Q. Okay. So you were -- you were by that house a
22 lot?

23 A. Yeah. That was -- that was like my route every
24 day.

25 Q. Were you -- were you staying over there at the

121

1 time?

2 A. Not at the time that it happened, but
3 previously I had lived there for like a year, and every
4 day I drove by that same -- that was like my route, and
5 I always saw a little kid and an older man outside
6 playing with that dog always, so whenever I saw this --
7 I'm sorry -- it just makes me --

8 Q. Is there some Kleenex up there?

9 A. Yeah. Thank you.

10 So that's why I called immediately because
11 I knew it was midnight, it was too late for people not
12 to be home, you know.

13 Q. And -- and you were concerned about the people
14 that you believed to be inside?

15 A. Correct.

16 Q. Now, after y'all were out back checking on the
17 dog, is that when the officer showed up?

18 A. Yeah. He was there quick.

19 Q. Okay.

20 A. Yeah.

21 Q. And where were you when you first saw the
22 officer on -- on the scene?

23 A. We -- we were coming back from inside the
24 house. Once I knew the dog wasn't going to come out to
25 me and I knew he wasn't directly on the house, then, you

1 know, I left him where he was comfortable, and the cop
2 was coming, so we kind of just met out in the street.

3 Q. Did you say anything to the officer when you
4 encountered him?

5 A. Uh-huh.

6 Q. What did you say?

7 A. We said we didn't know if anybody was in there.
8 We knew that people had lived there, but we didn't know
9 if there were people. We had just pulled up.

10 Q. Were there any vehicles there when you arrived?

11 A. No.

12 Q. So what did the officer do?

13 A. He immediately, you know, did his, you know,
14 looking on the outside, he noticed that the back door
15 was opened, and he asked us if we had done it or if it
16 was already opened, and we told him and then we had come
17 to the front --

18 Q. What did you tell him?

19 A. We had told him it was already open. Excuse
20 me.

21 And we had come to the front of the house,
22 which there was another door, not the front door, but it
23 looked like a garage had been made into a room so there
24 was a door. That was closed. It wasn't completely like
25 engulfed in flames right at that section at that time.

123

1 It was more over here.

2 So he tried to kick the door in, and it
3 took him like two or three kicks, and then, you know, as
4 soon as that happened, the flames just come out. So
5 once again, we couldn't see if there were anybody in
6 there at all.

7 Q. Okay. Did he have an easy time getting that
8 front door open?

9 A. No, it was a good two or three kicks.

10 Q. And while he was doing that, was he saying
11 anything?

12 A. Yeah. He was like, Hello, is anybody in there?
13 I mean, he kept shouting for people.

14 Q. So it was pretty hectic out there about that
15 time?

16 A. Yeah. You could hear the fire trucks on their
17 way. You could just -- I mean, it just seemed like in
18 two seconds, this house was just going like this, and
19 nobody could get to where -- to see if anybody was in
20 there or not. It was just crazy.

21 Q. You said the police officer got there pretty
22 quickly. Did the fire department get there pretty
23 quickly also?

24 A. Yeah, not as quick as the officer, but they
25 were -- they were pretty quick.

1 Q. How long after the officer arrived did the --

2 A. About like five, seven minutes.

3 Q. So when the police -- when the fire department
4 got there, what did they do?

5 A. Well, they told us to go across the street
6 because they had to pull in front of the house, and then
7 we just sat back and just watched them for a minute.
8 Then they dismissed us, so...

9 Q. So you had to move your vehicles?

10 A. Uh-huh.

11 Q. So --

12 A. To across the street to the church.

13 Q. Okay. So the fire department could get up
14 there, right?

15 A. Uh-huh, yes.

16 Q. When you called 9-1-1, did you give 9-1-1
17 your -- your names and telephone numbers?

18 A. Yes.

19 Q. So how long did you stay there before you left?

20 A. About 20 minutes total, we were there, from the
21 time it started until we left.

22 Q. And during the period -- well, when you left;
23 was the fire department still fighting the fire?

24 A. Yes.

25 Q. Had other -- had other units of --

125

1 A. No. There was one big truck there, and then
2 there was like a -- I guess the rescue, the little ones,
3 the -- what do they call them -- the --

4 Q. The ambulance?

5 A. No, it's a fire truck, but volunteers.

6 Q. Okay.

7 A. Is what it seemed like, the volunteer fire
8 department came.

9 Q. Okay. So there were a couple of different
10 trucks there associated with the fire department?

11 A. Two, uh-huh.

12 Q. Okay. Now, while you were out there, did you
13 take any photographs?

14 A. I did.

15 Q. How did that come about?

16 A. The officer in the -- that came, he had a
17 camera, but his was dead, so I had mine in my purse, so
18 I told him I would, you know, do that for him.

19 Q. Okay. So did you take a couple of photographs
20 out there?

21 A. Yes.

22 Q. Let me show you what has been marked as State's
23 Exhibit 216, 217, and 218, and let you take a look
24 through those real quick.

25 A. (Witness complies).

1 Q. And each of those are photographs?
2 A. Yes.
3 Q. And do you recognize the scene in each of those
4 photographs?

5 A. Yes.

6 Q. Are those the photographs that were taken by
7 you out there?

8 A. Yes.

9 Q. And do those photographs accurately show the
10 scene as it appeared on the early morning hours of
11 December the 18th of 2009?

12 A. Yes.

13 MR. GILL: Your Honor we offer 216, 217 and
14 218.

15 MR. CUMMINGS: We have no objection to
16 State's Exhibit 216, 217, 218.

17 THE COURT: 216, 217 and 218 are admitted.
18 (State's Exhibit Nos. 216-218 admitted)

19 MR. GILL: May we publish them?

20 THE COURT: You may.

21 Q. (BY MR. GILL) Would you tell the jury what
22 we're looking at here in State's Exhibit 216?

23 A. Uh-huh. This is the -- the left side of the
24 front of the house, the -- the door that the officer had
25 trouble kicking in.

127

1 Q. Okay. Have you ever used a laser pointer
2 before?

3 A. Yes.

4 Q. There's a little button right there. Would you
5 show the jury where the -- where the front door -- that
6 door is that you were referring to?

7 A. Right there.

8 Q. Okay. And that's an area on the photograph
9 that at this point there are a lot of flames coming out?

10 A. Yes.

11 Q. Is that what it looked like when you first
12 drove up?

13 A. No.

14 Q. What did it look like when you first drove up?

15 A. The fire was -- you can't see it on this
16 picture.

17 Q. Okay. And we see the -- one of the fire
18 department vehicles in the front?

19 A. Yes.

20 Q. Okay. So we're looking basically at the -- the
21 front of the house at this point?

22 A. Yes.

23 Q. Is this kind of where you parked your car when
24 you drove up?

25 A. Uh-huh. Where the fire truck is, that's where

1 we were parked, yes.

2 Q. And is there a driveway there?

3 A. Yes.

4 Q. State's 217, is that another photograph,
5 basically, of the same area?

6 A. Uh-huh.

7 Q. Yes?

8 A. Yes.

9 Q. And 218?

10 A. Yes.

11 Q. Okay. This is -- this is a -- a little while
12 after you arrived because when you arrived, the fire
13 department wasn't there; is that right?

14 A. Yes.

15 Q. Okay. Let me show you this now. It is State's
16 Exhibit 319. Do you recognize the scene depicted in
17 State's Exhibit 319?

18 A. Yes.

19 Q. We were earlier talking about three locations
20 in Arlington and Kennedale, the Walmart where your car
21 broke down?

22 A. Uh-huh.

23 Q. The house where you saw the fire, and the
24 location where you dropped your car at your mother's
25 house, does this diagram and this overhead aerial

129

1 photograph show all three of those locations?

2 A. Yes.

3 Q. And is it an accurate depiction of -- of the
4 way they were laid out on December the 18th of 2009?

5 A. Yes.

6 MR. GILL: We offer State's 319.

7 MR. CUMMINGS: We don't have any objection,
8 Your Honor.

9 THE COURT: State's Exhibit 319 is
10 admitted.

11 (State's Exhibit No. 319 admitted)

12 MR. GILL: May I publish it?

13 THE COURT: You may.

14 Q. (BY MR. GILL) Start right back here. I hope
15 everyone can see it.

16 Would you show the jury, please, where your
17 car broke down that night? Do you see it on the
18 diagram?

19 A. Uh-huh.

20 Q. Okay. And that's a Walmart store up there?

21 A. Yes.

22 Q. Okay. And would you show the jury the route
23 you took to get from the Walmart and tow -- and tow your
24 car back to your mother's house?

25 A. Uh-huh. I came from Walmart down. Here's the

1 T. I took Sublett over here. This is my mother's
2 house. And when I left, I came back the same exact way
3 and I went back up to the highway.

4 Q. Okay. And when you towed your car down from
5 the -- from the Walmart store headed towards your
6 mother's house, you went by there. Did you go by that
7 same house that was on fire?

8 A. Yes. It was not on fire.

9 Q. Okay. So there was nothing unusual about it at
10 the time you went by?

11 A. No, nothing out of the ordinary.

12 Q. So you made this right-hand turn here and went
13 down Sublett Road over to your mother's house, right?

14 A. Yes.

15 Q. How long was it from the time you passed by
16 this house at 600 North Little School Road until you
17 returned?

18 A. Five minutes. At the most, five minutes.

19 Q. And by the time you got back around there,
20 there was a pretty significant fire going in the -- on
21 the right-hand portion of that house?

22 A. Yes.

23 MR. GILL: We pass the witness.

24 THE COURT: Cross-examination.

25 CROSS-EXAMINATION

131

1 BY MR. CUMMINGS:

2 Q. Ms. Lee, my name is Fred Cummings. I have just
3 a couple three questions for you. Okay?

4 A. Okay.

5 Q. If I ask you something that doesn't make sense,
6 just tell me so, and I'll rephrase, and we'll get it
7 done. Okay?

8 A. Okay.

9 Q. You --

10 MR. CUMMINGS: May I approach, Judge?

11 THE COURT: You may.

12 Q. (BY MR. CUMMINGS) So when you're talking --
13 let me show you -- you already have been testifying from
14 State's Exhibit 319. You-all picked up your car from
15 Walmart and drove by the Little School Road address?

16 A. Yes.

17 Q. No flames?

18 A. No.

19 Q. Okay. Drove to mom's house, which is -- is
20 that still in Kennedale?

21 A. Yes.

22 Q. And just what, unhook the tow strap?

23 A. Uh-huh. That's all we did. We had a tow
24 strap. We just untied the knot -- because I had just
25 pulled it in -- untie the knot. I didn't even get out

1 of the car.

2 Q. Do you know the distance between your mom's
3 house and 600 --

4 A. It usually -- I'm not like in mile -- mileage
5 or anything, but it takes like a minute to get down that
6 road. That road is not very long.

7 Q. So even with unhooking the tow strap, you don't
8 think it took any more than about five minutes?

9 A. No.

10 Q. You -- most of the exhibits that you are --
11 were admitted through you, these three photographs of
12 the fire, photographs you actually took; is that right?

13 A. Yes.

14 Q. Now, obviously, if these photographs were taken
15 with the fire engine in front of the house, Officer
16 Worthy had already been there for a little while and --
17 and FD, or fire department, was already on the scene,
18 right?

19 A. Yes.

20 Q. The -- this particular photograph, I guess the
21 only light that was used for these photographs was from
22 the fire itself; is that accurate?

23 A. Yes.

24 Q. Do you recall any other illumination out there
25 at all?

133

1 A. No.

2 Q. The kind of half-circled -- it's black above
3 the fire. You see what I'm talking about?

4 A. Like the window?

5 Q. Yes. It's -- is there a tree or something like
6 that, or is that just merely the fact that it was that
7 dark out there and all we have is the illumination of
8 the fire?

9 A. No. The tree's up further this way, so it
10 just -- it -- it's not that close. It's dark. It's
11 smoke --

12 Q. Okay.

13 A. -- up there.

14 Q. When you-all pulled out, there wasn't any fire
15 from that particular door, right?

16 A. No.

17 Q. You actually saw the fire come out that door
18 after Officer Worthy kicked it?

19 A. Yes.

20 Q. I mean, was it kind of a violent reaction to
21 him kicking that door open, the fire?

22 A. Not -- well, not necessarily. It took like two
23 seconds. It didn't just kick it and it swung out. He
24 kicked it. We could see that everything was on fire,
25 and it just came. Like he couldn't go in at all. The

1 fire was too bad, but it didn't just rush out like that.

2 Q. Okay. The photographs that you took, I believe
3 you testified that you took those at the request of the
4 officer?

5 A. Yes. We had -- I had told the officer that I
6 had a camera, and I wanted to take pictures. And he got
7 his picture -- or his camera out to take a picture, and
8 his was dead. So he just said, Take a couple of them
9 and then give them to me somehow, like me go down there
10 and give them my camera like I did the next day.

11 Q. Okay. Because you didn't give your camera to
12 Officer Worthy, did you?

13 A. No.

14 Q. You went to the police station the next day and
15 talked to Detective Charbonnet?

16 A. Yes.

17 Q. And he -- is he the -- did he request your
18 camera at that time?

19 A. Yes. I had told him that I had a couple of
20 pictures that the officer had -- you know, he told me I
21 could take and then asked me to take as well, and he
22 then confiscated my camera for this.

23 Q. Okay. Y'all stayed about 20 minutes?

24 A. Yes.

25 Q. Did you see elements from the other fire

135

1 departments in the area respond while you were there?

2 A. No.

3 Q. Okay.

4 A. The firemen pretty much told us, you know, back
5 up or go because, I mean, it was 12:30 at night almost,
6 so, you know, once we figured that they were there and
7 they were putting it out, we left.

8 Q. Okay.

9 MR. CUMMINGS: That's all I have, Judge.

10 THE COURT: Redirect?

11 MR. GILL: None, Your Honor. May she be
12 excused?

13 THE COURT: Any objections?

14 MR. MOORE: No, Your Honor.

15 MR. MOORE: Subject to recall, Judge.

16 THE COURT: All right. Ma'am, you may step
17 down. Thank you very much. You're still under the
18 Rule.

19 (Witness retires)

20 THE COURT: State, call your next witness.

21 MR. GILL: We call Josh Worthy.

22 (Witness enters court)

23 THE COURT: All right. We need to take a
24 break for ten minutes, I understand it. So we'll be in
25 recess for ten minutes. Thank you very much.

1 Please remember the instructions. You may

2 not discuss this case with anybody.

3 (Jury not present)

4 THE COURT: All right. We'll be in recess.

5 Please be seated if you like.

6 (Recess from 2:00 p.m. to 2:14 p.m.)

7 (Open court, Defendant present, no jury)

8 THE COURT: Let's bring in the jury,

9 please.

10 (Jury present)

11 THE COURT: You may be seated.

12 Mr. Worthy, I previously swore you in,

13 right?

14 THE WITNESS: No.

15 THE COURT: Please raise your right hand,

16 Mr. Worthy.

17 (Witness sworn)

18 THE COURT: Please be seated.

19 State, you may proceed.

20 MR. GILL: Thank you.

21 JOSHUA WORTHY,

22 having been first duly sworn, testified as follows:

23 DIRECT EXAMINATION

24 BY MR. GILL:

25 Q. Pull up to the microphone and tell the jury

137

1 your name, please.

2 A. Last name is Worthy, first name, Joshua.

3 Q. And how are you occupied or employed?

4 A. Right now I'm a real estate agent.

5 Q. And how long have you been a real estate agent?

6 A. Five months.

7 Q. What were you doing before that?

8 A. I was a police officer.

9 Q. And who were you employed by?

10 A. City of Kennedale.

11 Q. How long were you employed by the City of
12 Kennedale as a police officer?

13 A. As a police officer, a little over five years.

14 Q. Did you have other employment with the City?

15 A. Yes.

16 Q. What was that?

17 A. I was a dispatcher.

18 Q. So you went -- you went to -- you went to work
19 as a dispatcher?

20 A. Uh-huh.

21 Q. Did you go to the academy while you were
22 working as a dispatcher?

23 A. Yes.

24 Q. Whose academy did you go to?

25 A. Weatherford.

1 Q. And did you achieve your certification as a
2 peace officer?
3 A. Yes.
4 Q. Which level certification did you hold?
5 A. Beginners.
6 Q. And you said five years with -- with Kennedale?
7 A. Yes.
8 Q. And what -- what type duties did you perform
9 for Kennedale as a police officer?
10 A. I was a patrol officer. I enforced traffic
11 violations as well as I was a field training officer. I
12 trained all the new officers that came in.
13 Q. How large a department is the City of Kennedale
14 Police Department?
15 A. It's not large. I believe its officers are
16 about 24.
17 Q. Back in December of 2009, what shift were you
18 working with Kennedale?
19 A. I was working the night shift.
20 Q. So what hours would that be?
21 A. It was 11:00 p.m. to 7:00 a.m.
22 Q. And did you work certain nights of the week?
23 A. Yes.
24 Q. Which nights did you work?
25 A. I worked Wednesday through Monday.

139

1 Q. Let me direct your attention back to the late
2 evening hours -- are you a little under the weather?
3 A. Yes, I've been sick for the past week.
4 Q. We'll get through this as quickly as we can and
5 get you back on your way.
6 A. Thank you.
7 Q. Back on September 17th, the late evening hours
8 of December 17th and the early morning hours of December
9 18th of 2009, were you on patrol working for the City of
10 Kennedale?
11 A. Yes, I was.
12 Q. Right around midnight or a little bit after
13 that night, did something unusual happen?
14 A. Yes.
15 Q. And what was that?
16 A. We had a residential structure fire.
17 Q. And where were you within the City of Kennedale
18 when you first caught notice that there was something
19 going on?
20 A. When the call came out, I was at the
21 intersection of Mansfield Highway and Third Street.
22 Q. Is that pretty much in the center of the city
23 of Kennedale?
24 A. Yes.
25 Q. And what call came out?

1 A. It was -- they toned out the fire department
2 for residential structure fire, it was 600 block of
3 Little School Road.
4 Q. And what did you do in response to that?
5 A. I activated my lights and my sirens, since it
6 was a residential structure fire, and proceeded to the
7 location to assist the fire department in traffic
8 control.
9 Q. Okay. So even though it was a fire department
10 call, you proceeded to the scene to make sure that
11 they -- it was -- the scene was run safely?
12 A. Yes. It's a fairly common or a fairly
13 well-traveled intersection in our city.
14 Q. Okay. You said you ran lights and siren?
15 A. Yes.
16 Q. Okay. And when your -- when you turn on your
17 lights and siren in your vehicle, what else happens?
18 A. The dash-cam, the camcorder, comes on as well
19 as a body mic. It's a microphone lapel mic.
20 Q. So while your lights and siren are on, is
21 your -- you're able to -- you're -- you're taking video
22 with your vehicle?
23 A. Yes.
24 Q. And you're also recording audio through the
25 lapel mic?

140

1 A. Yes.
2 Q. And what route did you take from the
3 intersection where you first heard the call to the
4 location, 600 Little School Road?
5 A. I traveled south on Mansfield Highway to the
6 next street, which is Sublett Road; and I turned north
7 to Sublett Road to the intersection of Little Road and
8 Sublett.
9 Q. So how long a drive is that?
10 A. Approximately a minute.
11 Q. And you went lights and siren the whole way?
12 A. Yes.
13 Q. And as you began approaching the scene, did you
14 notice anything unusual?
15 A. Yes. I could see flames and heavy smoke coming
16 from that area.
17 Q. And as you got closer, did you see where the
18 flames and heavy smoke were coming from?
19 A. Yeah. The majority of the heavy smoke and
20 flames were coming from the southwest corner of the
21 residence.
22 Q. So all the flames and the smoke are coming from
23 the residence at 600 Little School Road?
24 A. Yes.
25 Q. Is that location within the city of Kennedale?

1 A. Yes.

2 Q. Is it within the limits of Tarrant County,
3 Texas?

4 A. Yes.

5 Q. So as you rolled up to the scene, what did you
6 notice?

7 A. I noticed heavy smoke and heavy flames from the
8 southwest corner, and as I began to turn onto Little
9 School Road, there was an explosion on the southwest
10 corner near where the electrical line attached to the
11 residence.

12 After turning onto Little School Road, I
13 noticed in the northwest corner of the residence, there
14 was light smoke and light flames coming from a window on
15 the corner.

16 Q. And as you arrived on the scene, did you park
17 your vehicle?

18 A. Yes.

19 Q. And whereabouts did you park your vehicle?

20 A. I parked it near the driveway in -- in the
21 actual roadway.

22 Q. So the driveway to the 600 Little School --

23 A. Yes.

24 Q. -- Road?

25 Did you notice anyone else on the scene

143

1 when you arrived?

2 A. Yes. Whenever I pulled up and stopped near the
3 driveway, I saw two white females, one white male and
4 one black male coming down the driveway towards the
5 roadway.

6 Q. Was there a vehicle on the roadway?

7 A. Yes, there was a pickup truck on the other side
8 of the roadway.

9 Q. Did you make contact with those individuals?

10 A. Yes, I did.

11 Q. What did you say to them, or what did they say
12 to you at that point?

13 A. Whenever I exited my vehicle, at first I
14 believe -- I thought that they were the people that
15 lived there, so I asked them if they were okay, if
16 everybody got out of the residence, and they stated they
17 did not know.

18 Q. So what did you proceed to do after you learned
19 that?

20 A. They stated they had -- were the ones that had
21 called it in and that they believed a husband and wife
22 lived there. So I went to the northwest door of the
23 residence. I couldn't make it to the main door because
24 there was so much smoke and flames coming from that
25 area. And I tried the doorknob. I tested it with my

1 wrist to see if the doorknob and the door were hot, but

2 they were just warm, so they weren't hot. So then I
3 forced entry at that door by kicking it twice.

4 Q. And the door you made entry is -- is which
5 door?

6 A. It's on the northwest corner.

7 Q. Is it near the driveway?

8 A. Yes.

9 Q. Okay. And what happened when you made entry?

10 A. As soon as the door opened, I couldn't see

11 anything. It was pitch black smoke from floor to

12 ceiling. I knelt down a little bit, attempted to look

13 to see if I could see under the smoke. I could not.

14 And I began yelling, Hello, trying to get somebody --

15 see if there's anybody in there to respond to me.

16 Q. So what was your purpose in doing all that?

17 A. To check to see if there's anybody inside the
18 residence to attempt to help them get out.

19 Q. So you were concerned that there were people
20 that may be trapped in that --

21 A. Yes.

22 Q. -- that house?

23 Did you get any response from anyone
24 inside?

25 A. No.

145

1 Q. So what did you do?

2 A. I then went to the rear of the residence to
3 check the back door, and whenever I got to the back
4 door, I noticed that the door was already opened, and it
5 was about a 65-degree angle open.

6 The four subjects that were by the driveway
7 had apparently followed me behind, and they were trying
8 to get a dog out of a chain-link kennel that was in the
9 backyard. So I yelled at them asking them if they had
10 opened the door or if they had forced entry, and they
11 said no.

12 Q. Was there -- was there any vehicle around other
13 than the vehicles that they had arrived in?

14 A. No.

15 Q. So after you noticed that door ajar in the back
16 of the residence, what did you do back there?

17 A. I looked into the residence to see if I could
18 see anything, and again it was pitch black. There was
19 flames up around the ceiling area. Below, the flames it
20 was black smoke all the way to the floor. I couldn't
21 even see a foot inside the door.

22 Q. Were you again trying to yell inside?

23 A. Yes.

24 Q. To try to determine if there's anyone in there?

25 A. Yes, and I didn't receive a response.

1 Q. What did you do after that?

2 A. I then went around back to the front of the
3 residence, and at that time that's when the Kennedale
4 Fire Department was showing up, and they began to put
the flames out or fight the fire.

6 Q. And what did they arrive in?

7 A. In Engine 59.

8 Q. Where did they park that?

9 A. They parked it directly in front of the
10 residence.

11 Q. And do you recall approximately how many
12 firefighters were on that vehicle?

13 A. I want to say five, but I'm not positive.

14 Q. And when they got out and began -- I guess they
15 began with a walk-around to try to determine what they
16 had?

17 A. Yes.

18 Q. Were you there to -- and available to give them
19 information about what you had observed?

20 A. Yes.

21 Q. And after they arrived and began fighting fire,
22 what were you doing?

23 A. I was directing traffic because there was
24 vehicles coming down Little School Road. I had actually
25 repositioned my car to make traffic go into a church

147

1 parking lot that's across the street to divert them
2 around.

3 Q. So it's -- is it a common practice to try to
4 divert traffic around for safety purposes?

5 A. Yes.

6 Q. Were you able to take any photographs out there
7 that night?

8 A. I attempted to take photographs. We have a
9 digital camera that we keep that the -- each shift uses.
10 Whenever I pulled the camera out to try to take
11 photographs, it kept saying low battery. And I didn't
12 know if it was actually taking photographs because it
13 wouldn't show me. Every time I'd click the button, it
14 would turn off.

15 Q. Did you take any other measures to make sure
16 some photographs were taken?

17 A. I believe one of the females that was there was
18 taking photographs.

19 Q. Did you say anything to her about her
20 photographs?

21 A. I don't recall.

22 Q. Okay. Do you remember saying something along
23 the lines of, We're going to -- we're going to want
24 those, we want you to give those to the police
25 department or the fire department?

1 A. To be honest with you, I don't recall.

2 Q. Okay. So after the -- after you noticed the
3 photographs were being taken, what happened next?

4 A. Then Chief McMurray showed up. He's the fire
5 chief for the Kennedale Fire Department, and he took
6 command over the scene.

7 Q. So what did you do after that?

8 A. Again, I was working in the traffic, helping
9 with traffic jam -- or detail.

10 Q. So was it a -- was it a pleasant evening out
11 there, warm evening, cool evening?

12 A. It was very, very cold.

13 Q. So I guess working the traffic detail wasn't
14 much fun out there that night?

15 A. No, it was not.

16 Q. So how long approximately did you work a
17 traffic detail out there that night?

18 A. At the beginning for approximately an hour.

19 Q. And then what did you do?

20 A. Then I had to contact Detective Charbonnet.
21 Chief McMurray requested that I contact the on-call CID,
22 and I had dispatch contact Detective Charbonnet.

23 Q. What's a -- what's a CID, for those of us
24 that --

25 A. It's crime scene investigator, basically.

149

1 Criminal Investigation Division.

2 Q. All right. And that was -- Detective
3 Charbonnet was the on-call investigator that evening?

4 A. Yes.

5 Q. And you contacted him?

6 A. Yes.

7 Q. Or you contacted dispatch --

8 A. Dispatch, and then dispatch contacted him.

9 Q. Then what?

10 A. A little bit later, Chief McMurray came up to
11 me again and wanted me -- advised me that they had found
12 one deceased person inside the residence in one of the
13 bedrooms. Then they -- he requested that I contact the
14 Medical Examiner's Office.

15 Since Detective Charbonnet was coming in, I
16 contacted Detective Charbonnet and advised him what
17 McMurray had told me. He stated he would call -- call
18 the parties that needed to be contacted. And he was
19 already at the city. He was already at the police
20 department getting -- getting his equipment.

21 Q. And -- and as you went through the evening, did
22 you learn something else about what had been found
23 inside the residence?

24 A. Yes. A short time later, Detective Charbonnet,
25 Captain Hull and Sergeant Carlson arrived on scene, and

1 a little bit after they arrived, McMurray came up and
2 was speaking to Charbonnet, and I overheard him
3 telling --

MR. MOORE: Objection to what he may have
overheard, Your Honor. Hearsay.

THE COURT: Sustained.

Q. (BY MR. GILL) Okay. Now, while you were
working traffic detail out there, did you have -- were
you assigned another job while you were out there?

A. Yes.

Q. What was that?

A. To go to the police department, pick up the
animal control truck, and bring it back to the scene and
take possession of the dog that was in the backyard.

Q. Is that because y'all were unable to reach your
animal control officer?

A. Yes.

Q. So they -- so they asked you to perform that
duty?

A. Yes.

Q. So you had to -- did you get back in your
vehicle and drive to the PD?

A. Yes. I got back in my vehicle, drove to the
PD, picked up the animal control truck, then brought it
back to 600 Little School Road.

151

Q. And when you arrived back, what did you do?

A. Captain Hull and I began trying to get the dog
into position where we could get him inside the truck,
and after a short time, we were able to do that.

Q. So you were able to -- able to get control of
the dog?

A. Yes.

Q. And where did you take it?

A. I took it back to the police department, and it
was left in the truck. Since it was cold, it was left
in the truck, and we put it inside the base with the
doors down to keep -- to try to keep it warm.

Q. Now, when you arrived back, did you go back to
the scene then?

A. Yes, I did.

Q. And what did you do once you got back to the
scene?

A. Whenever I got back to the scene, I was
directed by Sergeant Carlson. Me and Sergeant Valentich
needed to place the yellow tape up around the residence
for safety reasons.

Q. When --

A. And to rope off the area.

Q. So you took yellow tape?

A. Yes.

Q. You roped off the -- the area, so what's the
purpose of that?

A. It's to keep people from going in, especially
when it's in an unsafe situation.

Q. Was that an unsafe situation?

A. Yes.

Q. And during this period of time, was that fire
department quint still parked out on the street in front
of the residence?

A. Yes, it was.

Q. And for a period of time, were you -- were you
near that piece of equipment?

A. Yes, I was.

Q. And did anything happen while you were out
there near that quint?

A. Yes. I was directed to start a crime scene
log, and I had been doing it for approximately 20
minutes when I noticed a white male walk up to my left.
I was facing the residence. He walked up to my left in
front of the engine and asked me what had happened.

I then asked him who was he, and he said he
lived there. I then contacted Detective Charbonnet and
Sergeant Carlson, let them know that there was a
resident that was out front.

Q. And did that -- did that -- well, describe that

153

resident to us, if you would?

A. White male, 30s. He was wearing black clothing
and boots.

Q. Do you see him in the courtroom today?

A. Yes, I do.

Q. Would you point him out and describe what he's
wearing today?

A. He's right there. He's wearing a maroonish
beige -- or burgundy tie and khaki pants.

Q. Is he the individual at the far end of the
table away from me over here on my left?

A. Yes.

MR. GILL: May the record reflect he's
identified the Defendant?

THE COURT: The record will so reflect.

Q. (BY MR. GILL) And he -- he walked up to you
while you were standing out in front next to the quint?

A. Yes. He actually walked up behind me, and I
didn't see him at first until I turned and looked.

Q. And did he -- while y'all were standing out
there, did he ask you anything?

A. Yes, he did.

Q. What did he ask you?

A. He asked if everyone had made it out.

Q. What did you tell him?

1 A. I told him I do not know.
2 Q. You knew, didn't you?
3 A. I didn't know who the victims were that were
inside the residence.

4 Q. Is it pretty standard operating procedure to
5 not just start giving out that information --

6 A. Yes.

7 Q. -- out there?

8 So you told him you didn't know?

9 A. Uh-huh.

10 Q. And did you ask him -- did you have further
11 conversation with him? Did you ask him anything?

12 A. Yes, I did.

13 Q. What did you ask him?

14 A. I asked him if he wanted to go have a seat in
15 my car because it was cold outside.

16 Q. Okay.

17 A. But he stated no, because he couldn't have a
18 cigarette in there, and then he asked if he could sit in
19 his own personal car, and I told him yes.

20 Q. And did you go with him to his own personal
21 car?

22 A. Yes.

23 Q. And where was his personal car parked?

24 A. It was parked in the parking lot across the

155

1 street at the church.

2 Q. So directly across the street from this 600
3 Little School Road address, what is directly across the
4 street?

5 A. It's a Life Fellowship Church.

6 Q. So that if we can -- can orient this house
7 correctly, Little School Road, does it run north and
8 south?

9 A. North and south.

10 Q. And where in relation to the road does this 600
11 Little School address sit?

12 A. It sits on the east side of the roadway.

13 Q. And does Sublett Road then run in a westerly
14 direction from there?

15 A. Yes.

16 Q. Sublett Road pretty much is right in the front
17 yard of that house?

18 A. Yes, I believe just off, just a little bit.

19 Q. So what -- what sits on the south side of
20 Sublett Road and on the west side of Little School Road?

21 A. On the south side of Sublett Road, it's a
22 field, and they have a -- a gas well, and just north of
23 Sublett Road on the west side of Little School is the
24 Life Fellowship Church.

25 Q. So his vehicle -- his vehicle was parked in the

1 church parking lot?

2 A. Yes.

3 Q. Do you recall what kind of vehicle it was?

4 A. It was a minivan.

5 Q. And --

6 A. He said it was burgundy.

7 Q. Did he go -- did he go sit in the minivan?

8 A. Yes, he went and sat in the driver's seat.

9 Q. Did -- did you accompany him over there?

10 A. Yes.

11 Q. What was your purpose in accompanying him over
12 there?

13 A. To keep him company.

14 Q. Did y'all have a conversation over there?

15 A. Yes, we did.

16 Q. What did you talk about?

17 A. We talked about that he had been off of work
18 for quite some time because he had injured his back. I
19 then told him about my father getting injured at work
20 and breaking -- breaking his neck. We also talked about
21 he was in the Marine Corps and that he didn't want to
22 have my job, he wouldn't want to be a police officer.

23 Q. Did he say what type of job he did have?

24 A. He was a security guard because it allowed him
25 to sit down.

157

1 Q. Did you have a conversation at all about --
2 about the house or the condition of the house?

3 A. Yes. I had asked him if there were smoke
4 detectors or fire alarms inside the residence. He said
5 that they had smoke detectors, but the batteries had run
6 out, hadn't replaced them. He also said that they had
7 gas heaters inside the residence.

8 Q. Did you ask him who lived in the house?

9 A. Yes.

10 Q. What did he tell you?

11 A. He stated he -- he lived there, his wife, his
12 daughter and his father-in-law.

13 Q. How would you -- how would you characterize
14 that conversation you had with him out there?

15 A. It was cordial, you know, back and forth.

16 Q. Was there any amount of urgency in his
17 conversation?

18 A. Not necessarily. Two times he did ask me again
19 if everybody had made it out. I told him I didn't know.

20 Q. While you -- while you were out there talking
21 to him, I guess it's pretty chilly out there that night?

22 A. Yes.

23 Q. Did anyone else come up and join the
24 conversation?

25 A. Yes, sir.

1 Q. Who was that?

2 A. Captain Darrell Hull.

3 Q. Who is Captain Darrell Hull?

4 A. He's the police captain over at the Kennedale
5 Police Department.

6 Q. And were you out there talking to Mr. Hummel
7 when Captain Hull walked up?

8 A. Yes.

9 Q. And what -- did Captain Hull greet you?

10 A. Yes.

11 Q. Okay. And what did Captain Hull say?

12 A. Whenever he walked up, I introduced Mr. Hummel
13 to Captain Hull, advised him, you know, what was going
14 on, and then he and Mr. Hummel then began talking.

15 Q. And how did you introduce Mr. Hummel when
16 Captain Hull walked up?

17 A. He lived there.

18 Q. Did you hear any of the conversation that the
19 Defendant had with Captain Hull?

20 A. Yes. He had asked Captain Hull if everybody
21 had made it out, and Captain Hull stated at that time he
22 didn't know, that he was going to have to go talk to one
23 of the detectives, and he would try to get some more
24 information.

25 Q. Did Captain Hull also ask who lived there?

159

1 A. Yes.

2 Q. And what did the Defendant say?

3 A. He said -- at that time he said his
4 father-in-law, his wife, his daughter, and he did, and
5 that his wife was also pregnant.

6 Q. Did Hull ask the Defendant, Mr. Hummel, what he
7 had been doing that evening?

8 A. Yes.

9 Q. And --

10 A. Mr. Hummel replied he had been going to
11 Walmart -- to Walmart, checking prices for Christmas
12 presents.

13 Q. After -- after speaking for a period of time,
14 did Captain Hull have somebody else he had to go talk
15 to?

16 A. He walked off and, I believe, spoke to
17 Detective Carlson.

18 Q. Did Captain Hull come back?

19 A. Yes, he did.

20 Q. And what was his purpose in coming back?

21 A. When he came back, he asked Mr. Hummel if he
22 would mind following him or having Darrell drive him to
23 the police department.

24 Q. Did Captain Hull give him the option of how he
25 wanted to get to the police department?

1 A. Yes. He -- he advised him he could drive him

2 or he could follow him up there in his own personal
3 vehicle.

4 Q. What did -- did Mr. Hummel choose to do either
5 of those?

6 A. He chose to follow him in his own personal
7 vehicle.

8 Q. And how late were you at the scene that -- that
9 morning?

10 A. I believe I was there until almost 6:00, 6:15.

11 Q. When -- when the Defendant followed Captain
12 Hull down to the police department, was that the last
13 you saw of Mr. Hummel?

14 A. Yes.

15 Q. Had you ever -- other than the vehicles that
16 the people had arrived in that made the 9-1-1 calls,
17 were there any other vehicles out there when you
18 arrived?

19 A. No.

20 Q. Did you notice anything in the backyard that
21 led you to believe a vehicle had been back there at some
22 time previously?

23 A. No.

24 Q. Now, let's jump ahead to December 21st of 2009.
25 Did you happen to be at work that evening also?

161

1 A. Yes.

2 Q. And did you receive a call from someone in your
3 department that evening?

4 A. Yes, I did.

5 Q. Who was that?

6 A. Detective Carlson -- or Sergeant Carlson.

7 Q. And what did Sergeant Carlson want you to do?

8 A. He wanted me to drive to Arlington and locate a
9 AutoZone in Arlington off of Pioneer Parkway.

10 Q. And did you do that?

11 A. Eventually.

12 Q. Okay. And were you driving a -- a Kennedale
13 Police Department patrol unit that evening?

14 A. Yes.

15 Q. And were you also in uniform?

16 A. Yes.

17 Q. And did you head up to -- to Arlington to check
18 out what Detective Carlson wanted you to do?

19 A. I had dispatch contact Arlington PD to have a
20 supervisor meet me. I met two sergeants at the
21 intersection of Pioneer and Green Oaks -- Green Oaks
22 Boulevard to find out where the -- an AutoZone would be
23 off of Pioneer.

24 Q. So in particular -- were you looking for a
25 particular business?

1 A. Yes.

2 Q. Which one?

3 A. AutoZone.

4 Q. A business called AutoZone?

5 A. Uh-huh.

6 Q. Did you locate one?

7 A. Yes.

8 Q. And did you -- were you looking for anything in
9 particular at the AutoZone?

10 A. Yes.

11 Q. What was that?

12 A. I was looking for weapons inside of a dumpster.

13 Q. Did you find a dumpster at that location?

14 A. Yes.

15 Q. And did you find any weapons inside that
16 dumpster? Did you -- after you checked the dumpster and
17 were unable to locate what you were looking for, what
18 did you do next?

19 A. I contacted Sergeant Carlson and advised him
20 that we didn't locate anything at the dumpster at the
21 AutoZone. Then I advised him that when driving there, I
22 noticed an O'Reilly's auto parts store and a NAPA auto
23 parts store on Pioneer Parkway in Arlington.

24 Q. Did you then go to one of those two businesses?

25 A. Sergeant Carlson then directed me to go to

163

1 those businesses.

2 Q. Which one did you go to first?

3 A. First I went O'Reilly's.

4 Q. Did it have a dumpster?

5 A. Yes.

6 Q. Did you look inside?

7 A. Yes, I did.

8 Q. What did you notice?

9 A. I looked in the right side of the dumpster, and
10 there was a lot of debris, construction debris,
11 Sheetrock, ceramic tiles, trash bags. And I couldn't
12 see anything in the right side.

13 I then went to the left side and looked in,
14 shined my flashlight around. Of course, I saw again the
15 debris -- construction debris, but along the inside of
16 the wall right where the window is on the dumpster
17 straight down I could see the knob of a baseball bat.

18 Q. Was that among the things you were looking for?

19 A. Yes.

20 Q. So at that point you realized you -- you had
21 found something relevant to the investigation?

22 A. Yes.

23 Q. And so what did you do?

24 A. I then had dispatch contact Arlington PD to
25 have a crime scene technician come out.

1 Q. And -- and while you were waiting for the crime
2 scene technician, what did you do?

3 A. Just waited.

4 Q. Okay. Did you keep an eye on the scene?

5 A. Yes, I did.

6 Q. Did a crime scene technician arrive?

7 A. Yes.

8 Q. Do you remember his name?

9 A. Last name was Rhodes.

10 Q. And did you and Crime Scene Investigator Rhodes
11 further investigate what was in that dumpster?

12 A. Yes.

13 Q. And just generally, what did y'all locate in --
14 in that dumpster?

15 A. We located a -- an aluminum baseball bat, a
16 long Samurai sword, a shorter Samurai sword, a
17 double-edged dagger and a -- and a kitchen knife. Then
18 we also located two sheaths for the Samurai sword.

19 Q. Generally, were those items contained within
20 anything?

21 A. The dagger and the kitchen knife and the
22 smaller Samurai sword were in a white plastic trash bag.

23 Q. And did you and Crime Scene Officer Rhodes take
24 those items out and preserve them?

25 A. Yes.

165

1 Q. Was it also photographed out there at the
2 scene?

3 A. Rhodes took photographs, yes.

4 Q. Now, you mentioned earlier that when you
5 activated your overhead lights in your patrol vehicle on
6 the way to the scene at 600 Little School Road, that
7 that also activated a body mic?

8 A. Yes.

9 Q. And where on you was that body mic located?

10 A. The body mic was clipped to the -- to the
11 inside of my shirt right here.

12 Q. And what is it designed to do?

13 A. It's to pick up anything that I'm saying or
14 anything anybody is saying in the general area.

15 Q. And throughout the time that this investigation
16 has been ongoing, at times you've met with the Tarrant
17 County District Attorney's Office, have you had an
18 occasion to listen to the audio that was recorded by
19 your body mic that evening?

20 A. Yes.

21 Q. Let me show you what's been marked as State's
22 Exhibit No. 220. Let me ask if you have had occasion to
23 listen to the CD media that is contained within State's
24 Exhibit No. 220 -- it's actually marked State's Exhibit
25 220D.

1 A. Yes.

2 Q. And how do you recognize State's Exhibit 220D?

3 A. It has my initials on it.

Q. Okay. Does it also have the date? Is that the
date where you listened to the entirety of this exhibit?

6 A. Yes.

7 Q. Okay. Is it a true and accurate recording of
8 the conversations you had out at 600 Little School Road
9 that evening?

10 A. Yes.

11 MR. GILL: Your Honor, we offer State's
12 Exhibit No. 220D.

13 MR. CUMMINGS: Your Honor, may I have just
14 a moment?

15 THE COURT: You may.

16 MR. CUMMINGS: Your Honor, before I give
17 you an answer as far as whether we have an objection or
18 not, we need to have a moment outside the presence of
19 the jury.

20 THE COURT: All right. Members of the
21 jury, please excuse yourself to the jury room. Thank
22 you very much.

23 (Jury not present)

24 THE COURT: Please be seated.

25 MR. CUMMINGS: Your Honor, may I take the

167

1 witness on voir dire?

2 THE COURT: You may.

3 VOIR DIRE EXAMINATION

4 BY MR. CUMMINGS:

5 Q. Officer Worthy, what's been marked here as
6 State's Exhibit 220D, this case I have in my hand with
7 CD enclosed, is this the only recording that you have
8 listened to from that evening?

9 A. Yes.

10 Q. You were wearing the body mic; is that correct?

11 A. Yes.

12 Q. Throughout the time that you were on the scene,
13 was your unit recording your audio or whatever was
14 occurring around you in both audio and video?

15 A. As far as I know, yes.

16 Q. Now, the video was fixed on the front of the
17 car, right?

18 A. Yes.

19 Q. But wherever you went, whoever you spoke to,
20 that was being recorded?

21 A. Yes.

22 Q. But you have not listened to that at all?

23 A. The audio?

24 Q. Yes. I'm not asking about the modified audio.
25 I'm asking about the one from the unit.

1 A. As far as I know, that's the only one I've

2 heard.

3 Q. Okay. How is that captured, the audio? Do you
4 know? Is it -- is it captured on the VHS tape?

5 A. Yes.

6 Q. Okay. Is it your understanding that this has
7 been enhanced, 220D?

8 A. I do not know.

9 Q. It is definitely your understanding that that's
10 only a small portion of what went on as far as your
11 activities there at 600 Little School Road on that
12 night; is that correct?

13 A. Yes.

14 MR. CUMMINGS: May I approach him, Your
15 Honor?

16 THE COURT: You may.

17 Q. (BY MR. CUMMINGS) What was your unit number
18 that night?

19 A. I was in Unit 51.

20 Q. Is that the car number?

21 A. That's the car number.

22 Q. Okay. Now, is this CD that I'm holding here
23 that's within the case that's marked 220D, that's got
24 your initials on it; is that right?

25 A. Yes, right here.

169

1 Q. In red?

2 A. In red.

3 Q. I'm sorry. 6-9-11 JW, and it's in red, right?

4 A. Yes.

5 Q. Was this marking made in your presence?

6 A. No.

7 Q. Okay. And this is identified as Unit 51, audio
8 clarified, right?

9 A. Yes.

10 Q. Do you have any understanding at all what the
11 word "clarified" --

12 A. Yes.

13 Q. -- means?

14 What is it?

15 A. To clarify?

16 Q. No, I'm not asking you generally. I know you
17 know generally.

18 A. Yes.

19 Q. I'm asking you if you know what that means as
20 it pertains to State's Exhibit 220D.

21 A. I guess I don't understand.

22 MR. CUMMINGS: Your Honor, we're going to
23 object to the introduction of this particular exhibit.
24 It's not the recording that the officer made. It has
25 been -- we're -- we believe that it's been modified by

1 an audio lab. We object to this particular exhibit not
2 being properly authenticated and predicate not being
3 laid.

THE COURT: Mr. Moore, you're standing
up --

MR. MOORE: No, I just -- we object to the
modified version of the tape because there's been no
predicate from the expert as to what he did and how he
did it to make the exhibit admissible in its current
form.

THE COURT: All right. State, do you have
a response?

MR. GILL: The testimony was that it is an
accurate rendition of those portions of the conversation
that we wish to introduce. Let the -- the procedure
that it's been through, some of the background noise has
been taken down because most of the conversation
occurred out by the quint, which had a -- a diesel
engine running during the entire conversation.

THE COURT: Let me just ask the witness.

Mr. Worthy, is that an accurate rendition
of the events that transpired that evening?

THE WITNESS: Yes.

THE COURT: Your objection's overruled.

The exhibit is admissible, and that would be Exhibit

171

220D. All right.

Both sides ready for the jury?

MR. GILL: Yes, Your Honor.

MR. CUMMINGS: Yes, Your Honor.

(Jury present)

THE COURT: Thank you. Please take your
seats.

State, you may proceed.

And, ladies and gentlemen, No. 220, State's
Exhibit, is admitted over the objections of the Defense.

You may proceed.

MR. GILL: That would be State's Exhibit
220D, as in dog, Your Honor.

THE COURT: That is correct.

MR. GILL: Thank you.

(State's Exhibit No. 220D admitted)

MR. GILL: May we publish it?

THE COURT: You may.

(State's Exhibit No. 220D published)

DIRECT EXAMINATION (Cont'd)

BY MR. GILL:

Q. And, Mr. Worthy, is that basically your voice
and the Defendant's voice that we hear on -- on the
audios we've been listening to?

A. Yes.

Q. And you've been asking him questions and
describing what all they had in the house in the way of
heating equipment?

A. Yes.

(State's Exhibit No. 220D published)

Q. (BY MR. GILL) Okay. Is that -- that's a new
voice we hear. Who is that?

A. That is Captain Darrell Hull.

Q. He's conversing with Mr. Hummel at that time?

A. Yes.

(State's Exhibit No. 220D published)

Q. (BY MR. GILL) Okay. Officer, obviously the --
the body mic isn't perfect. It doesn't pick up
everything, but it picked up a good deal of the
conversation; is that right?

A. Yes.

Q. And at the very end there, what we heard was --
was Captain Hull?

A. Yes.

Q. Is that correct, talking to the Defendant?

A. Yes.

Q. And what was Captain Hull doing at that point?

A. Asking if he would come to the police
department.

Q. And he gave him an option of whether to go or

173

whether not to go, and if he did want to go, how he
wanted to get there?

A. Yeah.

Q. Okay. Now, what vehicle -- what unit number
were you driving that evening?

A. I was driving Unit No. 51.

Q. Was there also a Unit 47 out there that
evening?

A. Yes.

Q. And you testified earlier that your -- your
unit had -- had an in-car camera?

A. Yes.

Q. A video camera?

A. Yes.

Q. And did Unit 47 also have an in-car camera?

A. Yes.

Q. Have you seen a recording -- a video recording
from each of those units?

A. Yes.

Q. Whose unit was Unit 47?

A. It was Sergeant Valentich.

Q. Was he out there on the scene?

A. Yes.

Q. And I -- I take it, since you were the first
officer to arrive, he arrived sometime after you did; is

1 that correct?

2 A. Yes, sir.

3 Q. Okay. Let me show you what has been marked as
4 State's Exhibits 219B and ask if you recognize 219B?

5 A. Yes.

6 Q. How do you recognize it?

7 A. It's Unit 47's dash cam. It's got my initials
8 and the date, 6/9/11.

9 Q. And have you had an opportunity to review this
10 exhibit in its entirety?

11 A. Yes.

12 Q. And it does not contain the entire video that
13 was recorded by this unit out there, does it?

14 A. No.

15 Q. It -- but it contains a video from when your
16 unit first arrived?

17 A. Yes.

18 Q. Is that video a true and accurate depiction of
19 the scene as you saw it that evening?

20 A. Yes.

21 Q. And State's Exhibit No. 220B, you also
22 recognize State's Exhibit 220B?

23 A. Yes.

24 Q. And how do you recognize 220B?

25 A. It's Unit 51's dash cam. It's got my initials

175

1 and the date, 6/9 of '11.

2 Q. And did you also have an occasion to view this
3 exhibit in its entirety?

4 A. Yes.

5 Q. And again, is it a segment at the beginning of
6 the recording that your vehicle made?

7 A. Yes.

8 Q. And is it a true and accurate depiction of the
9 scene as you saw it out there that evening?

10 A. Yes.

11 MR. GILL: Your Honor, we're going to offer
12 State's Exhibit No. 220B and 219B for all purposes.

13 MR. CUMMINGS: We have no objection to 219B
14 or 220B.

15 THE COURT: State's Exhibit 219B and 220B
16 are admitted for all purposes.

17 (State's Exhibit Nos. 219B, 220B admitted)

18 MR. GILL: May we publish them, Your Honor?

19 THE COURT: You may.

20 MR. GILL: What we're going to start -- for
21 the record, we're going to start with Exhibit No. 220B,
22 which is the video captured by Officer Worthy's vehicle.

23 THE COURT: Thank you.

24 (State's Exhibit No. 220B published)

25 Q. (BY MR. GILL) Officer Worthy, does the

1 recording just go on to -- to depict the conversation

2 between you and the civilians you encountered out there?

3 A. Yes.

4 Q. Okay. Now, when the video first begins, which
5 direction are you driving?

6 A. Traveling north on Sublett. Sublett curves to
7 the right and then begins going east.

8 Q. And then as -- as you begin to approach the
9 residence, you're able to see the -- the flames from the
10 residence on the recording?

11 A. Yes.

12 Q. And then just as you get ready to make your
13 left-hand turn, something flashes.

14 A. Yes.

15 Q. What is that?

16 A. I believe that was the electrical line that ran
17 from the pole to the house popping.

18 Q. As soon as you make your left-hand turn and
19 begin to pull over, we see some people --

20 A. Yes.

21 Q. -- on the -- on the recording. Who are they?

22 A. Those are the subjects that had called in that
23 I originally said I saw.

24 Q. You began asking them some questions?

25 A. Yes.

177

1 Q. And I believe then we hear you go to the front
2 door and -- and start inquiring about people in the
3 house?

4 A. Yes.

5 Q. And we hear you kick the front door?

6 A. Yes.

7 Q. And that's on the -- would be the northwest
8 corner of the residence?

9 A. Yes.

10 Q. A few more minutes go by and we hear a vehicle,
11 what sounds to be -- like a vehicle pull up. Is that a
12 vehicle?

13 A. Yes.

14 Q. Which vehicle is that?

15 A. That was Kennedale Engine 59.

16 Q. I believe it was just before that vehicle
17 arrived, you had moved your vehicle?

18 A. Yes.

19 Q. And you had moved it in a position to block
20 Little School Road; is that correct?

21 A. Yes.

22 Q. And -- as you do that, we see a sign. Your
23 vehicle's facing a sign. What is the sign the vehicle
24 is facing?

25 A. That's a digital sign for the Life Fellowship

1 Church.

2 Q. So you're facing the -- the church and the
3 church parking lot at that point?

4 A. Yes.

5 Q. Now, Sergeant Valentich also made the scene?

6 A. Yes.

7 Q. He was driving Unit 47; is that correct?

8 A. Yes.

9 MR. GILL: Your Honor, at this point we'd
10 like to publish State's Exhibit No. 220B.

11 THE COURT: Granted.

12 MR. GILL: I'm sorry, 219B.

13 THE COURT: Granted.

14 Q. (BY MR. GILL) He arrives from the opposite
15 direction from which you arrive; is that correct?

16 A. Yes.

17 Q. He was -- he was southbound on Little School
18 Road?

19 A. Yes.

20 MR. BRISSETTE: Judge, can we dim the
21 lights down?

22 (State's Exhibit No. 219B published)

23 Q. (BY MR. GILL) I'd like -- I'd like to pause it
24 for just a second so I can have Officer Worthy point out
25 a couple of the items that we can see here.

179

1 There's a button right there (indicating).

2 A. Okay.

3 Q. Okay. Would you point out to us then,
4 please -- can you see your patrol vehicle on this video?

5 A. Yes, my vehicle is right there.

6 Q. Okay. So it's to the far left of the screen?

7 A. Yes.

8 Q. Okay. Up at the top, what is the writing that
9 we see?

10 A. That is the camera it is (sic), the Unit 47,
11 what microphones he has activated, the date and the
12 time.

13 Q. All right. So the date is 12/18/09?

14 A. Yes.

15 Q. And the time is?

16 A. 12:27 a.m.

17 Q. Now, would you just draw -- draw a circle and
18 show the jury where the house is located on the -- on
19 the video?

20 A. The house is going to be in this area right
21 here.

22 Q. So at this point what -- what's coming out of
23 the -- the front of the house?

24 A. On the right side, you have heavy smoke and
25 fire. In the center you have heavy smoke, and then

1 there is a window right here and a door, which is the
2 one I forced open, you have smoke and fire.

3 Q. So as we look at -- as we look at the house
4 here, which way is south and which way is north?

5 A. South is going to be facing this way.

6 Q. On the right-hand side of the video?

7 A. Yes.

8 Q. And the left-hand side of the house, then, is
9 the north side?

10 A. Yes. That's going to be the north, this will
11 be the south, and this will be the west and the other
12 side will be the east.

13 Q. Okay. So what are -- what are the bright
14 lights we see right in the very middle of the video?

15 A. Right here?

16 Q. Yes.

17 A. That is going to be the lights from quint --
18 Engine 59.

19 Q. And that is a piece of firefighting equipment?

20 A. Yes.

21 Q. Pretty well lit up; is that right?

22 A. Yes. They have scene lights that can light up
23 the general area.

24 Q. Thank you.

25 (State's Exhibit No. 219B published)

180

1 Q. (BY MR. GILL) Officer Worthy, even after the
2 Kennedale Fire Department was on scene, we continue to
3 hear sirens. Was there other departments that made the
4 scene?

5 A. Yes. I believe the City of Forest Hill and the
6 City of Mansfield.

7 Q. Why were -- why were those cities there?

8 A. When they have -- for backup for our guys, our
9 fire guys.

10 Q. Did you have a mutual aid agreement with those
11 other cities?

12 A. Yes.

13 Q. Let me show you what has been marked as State's
14 Exhibit 221 and 222 and ask you if you recognize each of
15 these two photographs?

16 A. Yes.

17 Q. And are those stills that are taken from the
18 video that we saw earlier from -- that was taken from
19 your vehicle?

20 A. Yes.

21 Q. Do they accurately depict the scene as you
22 witnessed it on December the 18th of 2009?

23 A. Yes.

24 Q. Let me hand you State's Exhibit 171 through 178
25 and ask you to take a quick look through those also.

1 A. Okay.

2 Q. And are each of those also photographs?

3 A. Yes.

4 Q. And do they each accurately depict the scene at
5 the O'Reilly's Auto Parts store, as you saw it on
6 December 21st of 2009?

7 A. Yes.

8 MR. GILL: Your Honor, we're going to offer
9 221 and 222, as well as 171 through 178.

10 MR. CUMMINGS: Your Honor, as far as
11 State's Exhibit 221 and 222, we have no objection to
12 those.

13 THE COURT: 221 and 222 are admitted.
14 (State's Exhibit Nos. 221, 222 admitted)

15 MR. CUMMINGS: Regarding State's Exhibits
16 171, 172, 173, 174, 175, 176, 77 and 78, we object to
17 the introduction of these photographs on the same basis
18 that we raised at the pretrial hearing and renew those
19 objections.

20 THE COURT: Okay. Your objection is noted
21 and overruled.

22 MR. CUMMINGS: As far as State's Exhibit
23 177, I believe that is not a fair and accurate depiction
24 of what was observed there at the scene. The photograph
25 appears to be altered with the addition of the arrow

183

1 added.

2 THE COURT: All right. Let me take care
3 of -- Exhibits 171 through 176 are admitted over your
4 objection.

5 (State's Exhibit Nos. 171-176 admitted)

6 THE COURT: May I see 177, though?

7 May I visit with the attorneys on the side
8 here, please?

9 (BENCH CONFERENCE PROCEEDINGS)

10 THE COURT: What am I looking at in 177?

11 MR. GILL: You're looking at the interior
12 of a dumpster with the focal point being the -- the knob
13 of a baseball bat, which is pointed to by the arrow.

14 THE COURT: Oh, oh, oh, okay.

15 And -- and what was your objection to 177?

16 MR. CUMMINGS: Your Honor, the predicate is
17 that it fairly and accurately depicts what's -- he
18 observed on the scene, and it's been altered. It's
19 obviously more than -- with the addition of the arrow.

20 MR. MOORE: And our objection --

21 THE REPORTER: I'm sorry, Mr. Moore. You
22 need to speak into the microphone, Mr. Moore.

23 MR. MOORE: Oh, I'm sorry.

24 Our objection is the addition of the arrow.
25 And if they'll explain -- have him explain that that was

1 something that's added, that they didn't have that arrow

2 sitting out in the dumpster, then that takes care of

3 that objection. We can't let it come in in the state

4 that it's in. I have an objection on that basis.

5 THE COURT: Ask a clarifying question.

6 (OPEN COURT PROCEEDINGS)

7 Q. (BY MR. GILL) Officer Worthy, I'm going to

8 hand you State's Exhibit 177. Does it contain an object

9 that was not in the dumpster that night when you viewed
10 it?

11 A. Yes.

12 Q. What is it?

13 A. Green arrow.

14 Q. And what does -- what is the purpose of the
15 green arrow?

16 A. I believe to depict where the edge of the
17 baseball bat was.

18 Q. Does it assist the viewer in locating the --
19 the item of evidence that we're going to talk about?

20 A. Yes.

21 MR. GILL: Reoffer 177.

22 MR. MOORE: I think that satisfies the last
23 objection. We don't -- we have -- we renew our
24 objections that were carried forth in the pretrial
25 hearing.

185

1 THE COURT: All right. Your objection is
2 overruled and noted. 177 and 178 are admitted.

3 (State's Exhibit Nos. 177, 178 admitted)

4 MR. GILL: May we publish them, Your Honor?

5 THE COURT: You may.

6 Q. (BY MR. GILL) Officer Worthy, we have State's
7 Exhibit 221, and what does that show the jury?

8 A. That's the dash cam video or a still from my --
9 my unit, Unit No. 51, as I was pulling up on the scene.

10 Q. And is that looking towards the residence?

11 A. Yes.

12 Q. And -- and what do we see on the left-hand side
13 of the photograph?

14 A. On the left-hand side, you see the southwest
15 corner of the residence, which is in flames.

16 Q. And 222, what do we see then in 222?

17 A. That's another still from my dash cam Unit 51.
18 As I was about to turn left, that's when the electrical
19 line leading from the house to the pole exploded.

20 Q. And State's 171, what does that show?

21 A. That shows the O'Reilly's store on Pioneer
22 Parkway in Arlington.

23 Q. And State's 172?

24 A. That's three photos of the O'Reilly's store
25 showing the sign, the time and the address.

1 Q. So the address was 220 -- 231 West Pioneer

2 Parkway?

3 A. Yes.

4 Q. And State's Exhibit 173?

5 A. That's the dumpster that was located at the
6 rear of the business.

7 Q. It was located at -- at the rear farthest from
8 the street?

9 A. Yes.

10 Q. And 174?

11 A. That's another angle showing the left side of
12 the dumpster.

13 Q. You testified earlier that you went to one side
14 of that dumpster first. Is this the first side you went
15 to?

16 A. No, I went to the opposite side first.

17 Q. So this is the side where you actually located
18 the items you were looking for?

19 A. Yes.

20 Q. State's 175, what does that show?

21 A. That shows the right side. That's the first
22 side I went to.

23 Q. And 176?

24 A. That's the photograph of the inside of the
25 dumpster showing the debris and the trash.

187

1 Q. And 177?

2 A. That's as if you were sticking your head inside
3 the dumpster on the left side looking straight down.
4 You can see the knob portion and about an inch of the
5 black grip tape on a baseball bat.

6 Q. Is that one of the items that you were there
7 looking for?

8 A. Yes.

9 Q. And is that green arrow there to illustrate the
10 location of that bat within the dumpster?

11 A. Yes.

12 Q. And in State's Exhibit 178, what is that?

13 A. That's just a close-up photograph of the edge
14 of the baseball bat, the knob of the baseball bat.

15 Q. I believe you testified earlier that you and
16 Crime Scene Officer Rhodes from the Arlington Police
17 Department then proceeded to extricate the items of
18 evidence from the dumpster; is that correct?

19 A. Yes.

20 MR. GILL: Your Honor, we pass the witness.

21 THE COURT: Cross-examination.

22 MR. CUMMINGS: Can I have just a second,
23 Judge?

24 THE COURT: Mr. Cummings.

25 MR. CUMMINGS: Thank you.

CROSS-EXAMINATION

2 BY MR. CUMMINGS:

3 Q. Officer Worthy, Fred Cummings. We've never
4 met, have we?

5 A. No, sir.

6 Q. How are you doing?

7 A. I could be better. I'm a little sick.

8 Q. I know.

9 If I ask you something that doesn't make
10 sense -- at this time of the day, that's possible --
11 just let me know, and I'll rephrase. Okay?

12 A. Yes, sir.

13 Q. The equipment in Unit 51, the audio-video
14 equipment --

15 A. Yes.

16 Q. -- would you describe that for me, please?

17 A. There is a camera that is mounted to the front
18 windshield of the patrol unit. In the trunk there is a
19 VHS recorder. And then we have a -- as we call it, a
20 body mic or a transmitter, and that's what picks up the
21 audio which has a line that has a microphone that runs
22 up.

23 Q. I noticed on one of the tapes -- I'm sorry. I
24 noticed on one of the tapes, the one pertaining to Unit
25 47, I guess, it showed two mics?

189

1 A. Yes, sir.

2 Q. Tell us about that.

3 A. There's also a secondary mic inside the patrol
4 units, I believe, located in the rear compartment area.

5 Q. Okay.

6 A. Or passenger area.

7 Q. Do you have access to the -- the tape that's in
8 the trunk?

9 A. Yes.

10 Q. And is this technology VHS?

11 A. VHS.

12 Q. Okay. It's the old -- it's -- I guess that's
13 the correct terminology. VHS actual tapes?

14 A. Tapes.

15 Q. What -- do you keep them back there until they
16 run out over a period of days?

17 A. Each tape, I believe, tapes for a period of
18 eight hours. Once the tape runs up, we have a secured
19 drop box that we label the tape, what unit it came out
20 of, what date and time it came out, and then we drop it
21 in the lockbox and then we place a new tape inside the
22 VHS.

23 Q. Okay. So is it -- I guess my question is: Is
24 it possible that one of these VHSs is going to have
25 several shifts?

1 A. Oh, yes.

2 Q. Are you able to activate the -- the tape
3 recording unit on your own initiative?

4 A. Yes.

5 Q. So it will -- it will activate with a flip of a
6 switch without you turning on the overhead lights and
7 siren?

8 A. Yes.

9 Q. However, if you turn on your overhead lights
10 and siren, you have no control over whether or not it
11 comes on -- it comes on?

12 A. It automatically comes on.

13 Q. Okay. Are you able to -- what kind of controls
14 are there as far as those tapes, as far as alterations
15 or being lost or damaged or anything like that?

16 A. The tapes being damaged?

17 Q. Yes, sir.

18 A. If -- if we do notice that a tape is damaged,
19 then we mark it on the tape that the tape is damaged,
20 and it's still placed in the lockbox.

21 Q. As far as you know, your microphone was working
22 that night, right?

23 A. As far as I know.

24 Q. We had State's Exhibit 220D, as in David, I
25 believe, introduced. Do you recall that's the one that

191

1 we heard earlier?

2 MR. CUMMINGS: Excuse me. May I approach,
3 Judge?

4 THE COURT: You may.

5 MR. CUMMINGS: Thanks.

6 Q. (BY MR. CUMMINGS) 220D. The label on that
7 actual CD, is that -- this is Unit 51 audio?

8 A. Uh-huh.

9 Q. Clarified, right?

10 A. Yes.

11 Q. Can you tell me what "clarified" means?

12 A. I believe enhanced.

13 Q. Okay. Have you listened to the VHS tape from
14 your unit from that night?

15 A. Not that I recall.

16 Q. Okay. Am I understanding correctly? Do you
17 know whether or not you would have submitted that
18 particular VHS at the end of your shift that night?

19 A. I do not recall.

20 Q. Is it possible that it still had some tape on
21 it, and the next guy might have had to turn it in?

22 A. Possibility.

23 Q. Is it something that you do -- is it something
24 that you do at the beginning of your shift, is to check
25 and see if you got enough tape to make it through the

1 shift?

2 A. Yes.

3 Q. So if you've only got an eighth of an inch or
4 whatever in there, you -- you go ahead and pull it out
5 and put in a new one?

6 A. Put in a new one.

7 Q. At that time did you use that lockbox you told
8 us about?

9 A. Yes.

10 Q. Okay. But it's your testimony today that you
11 don't know whether you actually saw the VHS?

12 A. I do not recall.

13 Q. And obviously, your unit didn't save that
14 recording as a CD?

15 A. No.

16 Q. Now, this CD that was introduced, Unit 51 audio
17 clarified, as 220D, that's just an excerpt of that
18 night, is it not?

19 A. Yes.

20 Q. Can you tell us when this excerpt played?

21 A. That was, I have to say, approximately 5:00 to
22 5:15 a.m.

23 Q. And how are you able to make that
24 approximation?

25 A. Because I believe whenever I started my crime

193

1 scene log at approximately 4:30 to 4:45, it was
2 approximately 15 minutes later that audio was captured.

3 Q. Okay. And you're -- you're making that
4 approximation because of the time that you believe that
5 you made contact with Mr. Hummel?

6 A. Yes, sir.

7 Q. Did you use anything to prepare for your
8 testimony today?

9 A. No.

10 Q. Did you not take the opportunity to review the
11 reports that you prepared in association with this case?

12 A. Oh, yes.

13 Q. Okay. And did you bring those with you?

14 A. Yes.

15 Q. May I see them, please?

16 A. Yeah.

17 MR. CUMMINGS: May I approach, Judge?

18 THE COURT: You may.

19 THE WITNESS: There's also a copy of my
20 data.

21 Q. (BY MR. CUMMINGS) Thank you.

22 A. Uh-huh.

23 Q. Thank you.

24 A. Thank you.

25 Q. You may keep those.

1 In addition to the two reports that you
2 just showed me, did you also do the crime scene search
3 log that night?

4 A. Just a crime scene log?

5 Q. Yeah.

6 A. Yes.

7 Q. Tell me -- tell the jury what a crime scene log
8 is.

9 A. Crime scene is once we've set up a perimeter,
10 or a crime scene, it notes who goes in and who comes out
11 of the crime scene.

12 Q. What time did you initiate your crime scene
13 log?

14 A. Approximately 3:30 -- or I'm sorry, 4:30 a.m.

15 Q. Now, that's kind of an unusual crime scene.
16 You've got an entire house.

17 A. Uh-huh.

18 Q. And you've also got fire personnel who are
19 still involved in putting out embers and doing whatever
20 it is that they need to do in order to complete their
21 task there, right?

22 A. Yes.

23 Q. So at the time that you started at 04:30 hours,
24 were the fire personnel still there?

25 A. I believe only a couple were still there.

195

1 Q. The crime scene log would have -- you started
2 at 04:30?

3 A. Approximately.

4 Q. You arrived on the scene at 12:18 a.m.,
5 according to one report; is that fair?

6 A. Approximately, yes.

7 Q. Okay. So there was a period of time there, 4
8 hours and 12 minutes, if my math is right, that we have
9 no log of who went in and came out?

10 A. Yes, sir.

11 Q. Why did you all start one at that late stage?

12 A. I was instructed to do it at that point.

13 Q. Was that contemporaneous with your -- the
14 instructions you received to spread or stretch crime
15 scene tape?

16 A. Yes.

17 Q. There was other officer involved with you in
18 doing the crime scene tape?

19 A. Yes, it was Sergeant Valentich.

20 Q. And did you completely surround the house with
21 that crime scene tape?

22 A. Yes.

23 Q. Was anyone else assisting you with your log?

24 A. Once Mr. Hummel walked up and I made contact
25 with him, I handed the crime scene log off to Sergeant

1 Valentich.

2 Q. Have you seen your crime scene log since that
3 day?

4 A. No, sir.

5 Q. When did you discontinue logging the entry of
6 people into your crime scene?

7 A. I'd say approximately 4:50, 5:00 o'clock.

8 Q. So you only did it for 20 to 30 minutes?

9 A. Yes.

10 Q. Were you-all -- were there still police
11 personnel on the scene?

12 A. Yes.

13 Q. Were there still people coming and going as far
14 as for their official duties?

15 A. Yes.

16 Q. Did you discontinue doing your log at the
17 direction of any supervisor?

18 A. No.

19 Q. Did anyone take over those responsibilities
20 from you?

21 A. Yes, Sergeant Valentich.

22 Q. Okay. So when you say that you discontinued
23 it, you merely passed it on to someone else's
24 responsibilities?

25 A. Yes.

196

1 Q. Okay. Let me ask you a little bit about times.

2 Your report indicates that you -- you got the call at
3 12:18; is that right?

4 A. Approximately, yes.

5 Q. You were -- you were the only officer on duty
6 that night?

7 A. No.

8 Q. Who else was on duty?

9 A. Sergeant Valentich.

10 Q. So one sergeant and you?

11 A. Yes.

12 Q. One chief, one indian, so to speak?

13 A. Pretty much.

14 Q. Were you at the -- at the station whenever the
15 9-1-1 calls came in?

16 A. I had just walked into the police station, and
17 the ringers for the phones are very loud; and whenever I
18 walked in, I would hear the 9-1-1 calls or the 9-1-1
19 ringers going off.

20 Q. Okay. And do you have any idea what time those
21 calls came in?

22 A. I have to guess. Maybe it was approximately
23 two to three minutes before the dispatch.

24 Q. Your report indicates 12:18 a.m. as the time
25 that you arrived on the scene; is that accurate?

1 A. No. I think I arrived at 12:19.

2 Q. Okay. Your video, however, shows a time when
3 you arrived at 00:13 hours?

A. Uh-huh.

Q. Why the discrepancy?

6 A. Unless the -- the clock might be off.

7 Q. Okay. And we were asked to look at the times
8 on the tape of Unit 47. Do you know whether or not that
9 time would be synchronized with the time on your
10 particular tape?

11 A. I do not know.

12 Q. Okay. Do you know whether or not the times on
13 your tape are synchronized with dispatch?

14 A. I do not know.

15 Q. Is it fair to say that the time of 12:18
16 probably came from dispatch?

17 A. Yes.

18 Q. Is it also fair to say that it's very possible
19 that the times on those video recorders was not quite in
20 sync?

21 A. No.

22 Q. Fair to say or not?

23 A. Oh, yes.

24 Q. Okay. Once that you are -- your body mic
25 remained on throughout the time that you were on the

199

1 scene; is that correct?

2 A. As far as I know.

3 Q. And you have just testified you didn't -- you
4 didn't have the opportunity to look at the actual
5 videotape before it was cleaned up in State's Exhibit
6 220D, correct?

7 A. I did not view the VHS tape.

8 Q. All right. However, I believe when you were
9 talking -- or when that portion of that tape that we
10 heard was recorded, were you standing in proximity to a
11 fire engine?

12 A. At the beginning.

13 Q. Okay. And that fire engine diesel engine was
14 running, was it not?

15 A. Yes.

16 Q. Where were you whenever Mr. Hummel approached
17 you?

18 A. I was standing next to -- or beside the
19 passenger door on the fire engine.

20 Q. We saw on one of the photographs -- and I can't
21 remember which exhibit it is -- your unit is sitting
22 kind of at an angle across one of the roads, I assume.
23 Which road was it?

24 A. Little School Road.

25 Q. So it was sitting at an angle across Little

1 School Road pointing at that church, correct?

2 A. Yes.

3 Q. Did it remain in that position throughout the
4 night?

5 A. No.

6 Q. At the time this recording is done and Mr.
7 Hummel walked up to you, where was your car?

8 A. I believe it was in the parking lot of the
9 church.

10 Q. Okay. So you were -- you were how many feet
11 away?

12 A. From my car?

13 Q. Yes, sir.

14 A. I'd say approximately 40 feet.

15 Q. Do you have any idea about the range of those
16 microphones?

17 A. No. But when you start getting a certain
18 distance away and it starts having problems, it will
19 start beeping at you.

20 Q. And do we actually hear some of that on the
21 tape?

22 A. No. What you hear the beeping is his -- Mr.

23 Hummel's car running and the door being opened and the
24 door chime.

25 Q. Okay. Now, you -- you remained in the presence

201

1 of Mr. Hummel throughout the time he was on the scene
2 until he left with Captain Hull; is that accurate?

3 A. Yes.

4 Q. And you were actually assigned to do the crime
5 scene log, and you passed that on to someone else?

6 A. Yes.

7 Q. And stayed with John Hummel, correct?

8 A. Yes.

9 Q. Why?

10 A. Because he was -- we were up by the engine at
11 first, and due to it being very cold outside, I asked
12 him if he wanted to have a seat in my car to try to stay
13 warm, and he wanted to sit in his car so he could have a
14 cigarette. So by him going to his car and me going with
15 him, I wouldn't have visual of where the crime scene --
16 it would be on the other side of the engine.

17 Q. Did anyone assign you to stay in close
18 proximity to John Hummel at that point?

19 A. Not that I recall.

20 Q. Okay. You took it on your own initiative?

21 A. Yes.

22 Q. Did you consider John a suspect at that time?

23 A. No.

24 Q. We listened to State's Exhibit 220D, and was
25 the entire conversation you had with John Hummel on

1 that -- on that recording?

2 A. I believe so, yes.

3 Q. There are gaps where we hear actually dead
4 airspace, no static, no anything else. It's obviously
5 nothing. Can you explain those gaps?

6 A. I cannot.

7 Q. Do you -- do you believe those gaps to be -- to
8 exist on the original tape?

9 A. I do not know.

10 Q. You haven't listened to the original tape?

11 A. No.

12 Q. Okay. There are other portions of time where
13 we have background noise and that sort of thing, and it
14 seems like the conversation is missing portions that
15 maybe are not captured on the recording device or
16 weren't possible to clean up in the clarified version.
17 Is that fair? Do you --

18 A. There was a lot of dead space, but it was
19 because me and Mr. Hummel were not talking. He was
20 smoking a cigarette, and I don't -- I wasn't standing
21 all too close to him, so we weren't having conversations
22 at certain points.

23 Q. There are portions of the recording that appear
24 to respond to a question that's not asked or -- you know
25 what I'm saying?

203

1 A. Huh-uh.

2 Q. No?

3 MR. CUMMINGS: May I have just a minute,
4 Judge?

5 THE COURT: You may.

6 MR. CUMMINGS: Your Honor, may I use
7 State's Exhibit 220D? I may -- it may take me a minute
8 to get it set up on my computer.

9 Q. (BY MR. CUMMINGS) Do you recall, you-all were
10 talking about injuries and that sort of thing, and you
11 brought up the fact that your -- your dad had suffered
12 an injury?

13 A. Uh-huh.

14 Q. And then there was the sound of a vehicle
15 starting, radio transmissions and that sort of thing,
16 and then the conversation -- we heard some more of the
17 conversation, but it had nothing to do with injuries.
18 You were now talking about, apparently, smoke detectors?

19 A. Yes.

20 Q. So without -- I mean, I can play the tape, and
21 we can go through it so that you can see what I'm
22 talking about, but do you recall that?

23 A. Yes.

24 Q. So obviously, there is a portion of your
25 conversation, at least in that instance, that wasn't

1 captured by the recording device; is that fair?

2 A. No.

3 Q. Okay. Listen, please.

4 MR. CUMMINGS: May I, Judge?

5 THE COURT: You may.

6 (State's Exhibit No. 220D published)

7 Q. (BY MR. CUMMINGS) There was a gap there.

8 A. Uh-huh.

9 Q. Do you have any idea why?

10 A. Talking about the skip?

11 Q. Is that what it is?

12 A. I'm guessing.

13 Q. Okay.

14 A. I don't -- I don't know what that's from.

15 Q. Okay. Is that your voice?

16 A. Uh-huh.

17 (State's Exhibit No. 220D published)

18 Q. (BY MR. CUMMINGS) We're hearing what sounds
19 like a voice. Are you able to discern whether that's
20 dispatch or whether that's you conversing with someone
21 else or --

22 A. I can't tell who it is, but it wasn't me.

23 Q. Okay. Is it possible it was a radio traffic?

24 A. Yes.

25 (State's Exhibit No. 220D published)

205

1 Q. (BY MR. CUMMINGS) Are you able to recognize
2 that voice?

3 A. The last voice?

4 Q. Yes, sir.

5 A. That's mine.

6 Q. Are you able to understand what you said?

7 A. Yes.

8 Q. What was it?

9 A. I asked him if he had smoke detectors or fire
10 alarms.

11 (State's Exhibit No. 220D published)

12 Q. (BY MR. CUMMINGS) Is that your voice there?

13 A. Yes.

14 Q. Is that black or purple or what is it -- what
15 were you talking about?

16 A. I had went to run his -- or give dispatch his
17 license plate number, and I told dispatch to mark it
18 black because the vehicle looked to be black. And
19 whenever I came back, I asked Mr. Hummel if his vehicle
20 was black, and he replied, No, it's -- first he said
21 beige, but he -- he then changed it to burgundy.

22 Q. So there are dead spots in 220D, are there not?

23 A. Where me and Mr. Hummel were not conversing,
24 yes.

25 Q. Okay. And the -- the skip that you described

1 it?

2 A. Uh-huh.

3 Q. You had no explanation for that?

4 A. No.

5 Q. Did you hear -- I mean -- one minute.

6 I think I made the point. Thank you. I'll

7 move on.

8 You -- on the 21st of December, let's move

9 on to that date. Okay?

10 A. Yes, sir.

11 Q. You're working nights again?

12 A. Yes, sir.

13 Q. And you're asked to go find an AutoZone in

14 Arlington?

15 A. Off Pioneer Parkway.

16 Q. Off Pioneer Parkway. Okay.

17 On your way over there, you see two other

18 auto parts store. You're unsuccessful finding anything

19 at AutoZone, so you go back and check O'Reilly's; is

20 that correct?

21 A. I advised -- I called Sergeant Carlson and told

22 him that there was nothing at the AutoZone and that

23 there were other auto part stores on Pioneer Parkway in

24 Arlington.

25 Q. Okay.

207

1 A. That we had passed.

2 Q. Are you familiar with the town of Pantego?

3 A. A little bit.

4 Q. Okay. Are you familiar with the boundaries,

5 the geographic boundaries between the town of Pantego

6 and Arlington?

7 A. No.

8 Q. Why did you assume that the O'Reilly's was in

9 Arlington?

10 A. Because I just believed that part was

11 Arlington.

12 Q. Okay.

13 A. I didn't know it wasn't.

14 Q. When you called Officer Rhodes over there, did

15 he mention that he was outside his city and in the city

16 of Pantego?

17 A. No.

18 Q. Have you ever looked to verify that the address

19 of the O'Reilly's is, in fact, in Arlington versus

20 Pantego?

21 A. No.

22 Q. Did you-all ever contact Pantego PD and have an

23 officer from their department show up?

24 A. No.

25 Q. You are trained in the collection and

1 preservation of physical evidence?

2 A. No.

3 Q. You went to the Weatherford Police Academy?

4 A. Yes.

5 Q. Did they -- in the -- when did you go through?

6 A. 2004 to 2005.

7 Q. How long was your --

8 A. Approximately 11 months.

9 Q. 11 months?

10 A. Uh-huh.

11 Q. During that time, did you not get a crime scene

12 search course?

13 A. Shortly.

14 Q. Okay. Basics?

15 A. Yes.

16 Q. At least to be careful when you do an initial

17 investigation so that you don't damage any evidence --

18 A. Yes.

19 Q. -- or stuff like that?

20 If you had been in your city, would you

21 have been a crime scene officer, so to speak?

22 A. On something minor, yes.

23 Q. Okay. Do you-all have a crime scene search

24 unit?

25 A. We have a detective, Detective Charbonnet.

209

1 He's more advanced at crime scene.

2 Q. So at the -- do you need any water or anything?

3 A. No, I've got just a little bit. I got a

4 little.

5 Q. Okay. But under the circumstances, you

6 believed yourself to be in Arlington, so you called

7 Arlington PD?

8 A. Yes.

9 Q. Did a uniformed officer show up before the

10 crime scene guy?

11 A. I had met -- prior to going to the AutoZone or

12 the O'Reilly's with Sergeant Henning and Sergeant Pewitt

13 in Arlington at the intersection of Pioneer Parkway and

14 Green Oaks Boulevard.

15 Q. Did you have your camera with you that -- that

16 night?

17 A. Digital camera?

18 Q. Yes, sir.

19 A. Yes.

20 Q. Did you climb into the dumpster before Officer

21 Rhodes made the scene?

22 A. Which one?

23 Q. Good point.

24 The one at O'Reilly's.

25 A. At O'Reilly's, no, I did not.

1 Q. So you used your flashlight --

2 A. Uh-huh.

3 Q. -- to look within the dumpster.

Did you have to displace anything before
you observed the knob to the bat?

6 A. No.

7 Q. When you observed the knob to the bat, did
8 you -- were you able to identify it readily?

9 A. I couldn't hear the last part. I'm sorry.

10 Q. Were you able to recognize what it was?

11 A. It appeared to be a baseball bat or the knob
12 portion of a baseball bat.

13 Q. So based upon the fact that you might have had
14 a bat there and you were looking for a bat --

15 A. Uh-huh.

16 Q. -- what did you do then?

17 A. I then contacted my dispatch and had them
18 contact Arlington to have a crime scene unit make my
19 location.

20 Q. Okay. Now, when Officer Rhodes got there, how
21 long did it take for him to get there?

22 A. I'd say approximately 20 minutes.

23 Q. And is Officer Rhodes -- they use civilians,
24 don't they?

25 A. I believe they use civilians, but I'm not 100

211

1 percent.

2 Q. Okay. Mr. Rhodes? With Mr. Rhodes, you said
3 how long you saw him?

4 A. I'd say approximately 20 minutes.

5 Q. During that time, did you take any steps to
6 collect that evidence at all?

7 A. No, I just stood there.

8 Q. Take any photographs?

9 A. No.

10 Q. Okay. Once Mr. Rhodes arrived there, did you
11 explain to him why you had asked for him to come?

12 A. Yes.

13 Q. And did he collect your evidence for you?

14 A. He -- me and him decided that I should climb
15 into the dumpster because I was a little younger, and I
16 would then hand him the evidence, and he would process
17 it from there.

18 Q. In your basic training, were you taught that
19 you photograph before you move evidence?

20 A. Yes.

21 Q. Was that done?

22 A. Yes.

23 Q. Okay. So the photographs that we have seen --
24 I guess we have State's Exhibit No. 178 depicted on the
25 screen here. Was it kind of a layering effect? You

1 first took photographs of the bat and that knob and then
2 moved some of the stuff off of it and took more
3 photographs?

4 A. I believe that picture was taken before I even
5 entered the dumpster, and the photograph was taken by
6 Mr. Rhodes.

7 Q. Okay. As you -- were you -- I'm sorry. Late
8 in the day.

9 I believe you said you collected an
10 aluminum baseball bat, two swords of different sizes, a
11 dagger, a kitchen knife and two sheathes, correct?

12 A. Yes.

13 Q. Is that the -- the sum of what you collected at
14 that location?

15 A. Give me that one more time.

16 Q. Sure. Aluminum baseball bat?

17 A. Uh-huh.

18 Q. The two swords, a dagger, a kitchen knife and
19 two sheathes?

20 A. Yes.

21 Q. Okay. When you collected them, did you merely
22 pass them to Mr. Rhodes so that he could bag them or
23 whatever?

24 A. Yes.

25 Q. And did you mark them in any way with your

213

1 police I.D. or badge number, whatever your procedures
2 are?

3 A. No.

4 Q. Did you accompany Mr. Rhodes to the Arlington
5 Police Department --

6 A. No.

7 Q. -- with your evidence?

8 A. No, sir.

9 Q. Did you ever have occasion to pick that
10 evidence up --

11 A. No.

12 Q. -- from Arlington?

13 A. No, sir.

14 Q. Was this your last involvement with those
15 items?

16 A. Yes, sir.

17 MR. CUMMINGS: May I look at this other
18 evidence briefly, Judge?

19 THE COURT: You may.

20 MR. CUMMINGS: May I approach, Judge?

21 THE COURT: You may.

22 MR. CUMMINGS: Excuse me. May we approach,
23 Judge?

24 THE COURT: You may approach.

25 MR. CUMMINGS: Thanks.

(BENCH CONFERENCE PROCEEDINGS)

MR. CUMMINGS: Your Honor, I -- I have three VHS tapes that were provided to me through discovery. One -- one pertains to Unit 47, and the other two pertain to Unit 51. I would like to put in the record -- or put these tapes in through this witness' -- witness for the purposes of the record, the two VHSs that pertain to Unit 51. Now, they're copies, and that's all I have to do it in order to preserve the unadulterated, so to speak --

MR. BRISSETTE: Well, first, he's -- he's -- first off, Judge, he's making accusations that the State's edited the video and taken out excerpts --

(OPEN COURT PROCEEDINGS)

THE COURT: Ladies and gentlemen, I need to take up a matter outside your presence. Would you please excuse yourself to the jury room? It's time for a break, anyway.

(Jury not present)

THE COURT: All right. Please be seated.

Mr. Brissette, I cut you off. Why don't you continue with what you were saying.

MR. BRISSETTE: Your Honor, in discovery, my unit, the video forensic lab trial art section, turned over to the Defense the VHS tapes, that's

215

correct.

They were VHS original. We converted, them for the ease of use in the court system, to a disk. The audio section that we've heard here today, that Mr. Cummings made it very clear it was clarified, was sent to Barry Dickey, an expert. That was taken out of the Avid system, the system that Mr. Cummings sat down with us for those seven hours and did the redactions on, against the same system, and it ingested in its purest form, and it puts out in its purest form. We're not taking anything out.

He's making that accusation in front of the jury that we've been pulling sections of audio out leaving dead space. We have the original tapes here. We've now marked them as 220E and 220F, and we'll be offering them when we get the ball back.

But to make the accusation or even the inference in front of the jury is disrespectful to the State in this case, Your Honor.

MR. MOORE: Well, disrespectful or not, I've never had a tape that had been modified come into evidence without an explanation from the expert as to what he did to modify the tape. The Court allowed it in over our objection. There's gaps in the tape this witness who sponsored the tape can't explain. And

that's the whole purpose for calling the expert to explain what he did in order to make the modified tape admissible, and they didn't do it.

THE COURT: Mr. Cummings, what exactly did you want in terms of any relief? You were going to offer the exhibits?

MR. CUMMINGS: We merely intend to offer what we have as far as -- and if -- if the State's going to offer the actual tapes, then that's fine.

THE COURT: All right.

MR. CUMMINGS: But we feel like the record is incomplete without having the unmodified tape. There's no accusation here. The mere fact is we've got gaps and we've got an edited tape that's been offered without the -- as Mr. Moore said, the procedure explained.

THE COURT: All right. Let me ask some questions just briefly just for my clarification. The -- the clarified disk, are there any modifications other than making it more capable for the person who is listening to it to hear more clearly what's being said by the people on the recording? Is that the only thing that was corrected, if you want to say that's a correction or modification?

MR. BRISSETTE: Well, first off, Your

217

Honor, it's just the audio of the DME. It's not the video. The digital multimedia evidence.

THE COURT: Thank you.

MR. BRISSETTE: The streams were split. There's no metadata, which is the on-screen stuff that you've heard talk about, about what the date and time is. There's three streams to every in-car video system, The metadata that was talked about on the screen, the audio, and the video.

What Mr. Dickey brought back and has been admitted as the audio that you've heard this afternoon is just the audio stream of that that has been clarified.

THE COURT: So when you say "clarified," is it the background noise has been removed?

MR. BRISSETTE: Yes, sir.

THE COURT: So that it's more easily listened to what's actually being said on the recording?

MR. BRISSETTE: That's correct, Your Honor.

THE COURT: The people and what they say on the recording has not been modified or altered?

MR. BRISSETTE: No, sir.

THE COURT: All right.

MR. MOORE: And there's no testimony from anybody as to -- to that fact.

1 THE COURT: All right. Now, the Court was
2 satisfied after asking the witness had -- was that an
3 accurate recording, and the witness said at that time it
4 was.

5 Your -- your objection is noted and it's
6 still overruled. I understand your point to offer the
7 exhibits.

8 MR. MOORE: Just for the record.

9 THE COURT: I understand that. However,
10 there has not been anything to suggest that there's been
11 anything less than just an accurate recording. And if
12 the person who was there at the conversation heard the
13 conversation, identified the conversation, there haven't
14 been any additions, deletions or modifications insofar
15 as what's being said, then it's an accurate recording.

16 MR. MOORE: I understand. I agree. He
17 can't explain the gaps.

18 THE COURT: I understand that. That was
19 brought out on cross-examination.

20 MR. MOORE: I understand. And -- and the
21 one that can explain the gaps, or -- or should be able
22 to explain the gaps, if he can, if they're from the
23 original recording or if they are from the -- the -- the
24 clarification process or whatever is the expert who then
25 testifies.

219

1 THE COURT: Mr. Gill, you're standing up.
2 Yes, sir?

3 MR. GILL: Well, he did explain the gaps.
4 He said they're -- they're periods of time where he and
5 Mr. Hummel were not talking. There would not be any
6 audio if no one was talking.

7 THE COURT: All right. I think now we're
8 getting to the weight of the evidence that will be
9 handled by the jury.

10 Now, with regard to the exhibits the State
11 intends to offer for clarification of the record, will
12 you accept that proffer, or do you want to offer your
13 own?

14 MR. MOORE: No, that's fine. Ours is a
15 duplication of what they've got.

16 THE COURT: All right.

17 MR. MOORE: So if they've got the
18 originals, that's lovely.

19 MR. BRISSETTE: Judge, while we're outside
20 the presence of the jury, the State would also
21 tender to, I guess, Mr. Moore -- Mr. Cummings at this
22 point, State's 220A and 219A, which were prepared by
23 the -- by Mr. Van Der Leest downstairs. It is the
24 digital version of the VHS tapes that were output from
25 the Avid system. We offer those for the record only.

220

1 MR. MOORE: That's fine, Judge. I don't
2 have any objections for the record.

3 THE COURT: All right. State's Exhibit
4 220A and 219A are admitted for the record only.

5 (State's Exhibit Nos. 220A, 219A admitted)

6 THE COURT: All right. Anything more from
7 either side with regard to the exhibits that have been
8 discussed thus far?

9 MR. CUMMINGS: No, sir.

10 THE COURT: All right. Let's take a
11 15-minute break. Thank you very much.

12 (Recess from 4:35 p.m. to 4:52 p.m.)

13 (Open court, Defendant and jury present)

14 THE COURT: Mr. Cummings, you may proceed.

15 MR. CUMMINGS: Thank you, Your Honor.

16 Q. (BY MR. CUMMINGS) I just have one final area
17 of inquiry. I want to take you back to the auto parts
18 place there where you went to the dumpster, Mr. Worthy.

19 You told us that you located the bat, and
20 then you called dispatch and had them send Arlington
21 crime scene search over there; is that correct?

22 A. Yes.

23 Q. What I'd like to do is just talk with you a
24 little bit about how you-all went about collecting,
25 preserving those items that we talked about.

1 The -- did you -- when you met with Mr. --
2 what was his name?

3 A. Rhodes.

4 Q. Rhodes. Did you-all kind of arrive at a
5 procedure that you were going to use in order to collect
6 and preserve that evidence?

7 A. Not necessarily.

8 Q. Okay. How did you -- you did proceed in a
9 certain fashion, did you not?

10 A. Yes.

11 Q. You decided that -- I think you said you were
12 younger, so therefore, you would go in the dumpster; is
13 that correct?

14 A. Yes, sir.

15 Q. Did you take any precautions to keep from
16 transferring body fluids or fingerprints or anything
17 like that on those pieces of evidence?

18 A. I wore gloves.

19 Q. Okay. Did you have them, or did he provide
20 them?

21 A. I had them.

22 Q. So did -- did you notice whether Mr. Rhodes
23 wore gloves as well?

24 A. I believe so.

25 Q. When you -- before you ever went in, Mr. Rhodes

1 took photographs and actually took -- looks like -- you
2 said State's Exhibit 178, it would have been done before
3 you ever --

4 A. Yes.

5 Q. -- entered the dumpster?

6 So when you went in, I assume you went in
7 from the opposite side, and did you remove portions of
8 the trash or whatever that was in the dumpster over the
9 items that you were interested in?

10 A. Yes. I stood in the center of the dumpster,
11 and we began -- or I began removing layers of debris off
12 as Mr. Rhodes was photographing each layer as I removed
13 it.

14 Q. Okay. The -- and then ultimately, you stopped
15 taking photographs, the pair of you, and started
16 collecting the items that you were interested in; is
17 that correct?

18 A. At that time he was the only one taking
19 photographs.

20 Q. Okay. I didn't mean to indicate otherwise, but
21 you were working together?

22 A. Yes.

23 Q. So who was it -- strike that.

24 Did you pick up one of the items and hand
25 it to Mr. Rhodes?

223

1 A. Yes.

2 Q. Which item did you start with?

3 A. First was the baseball bat.

4 Q. Did you make note of what he did once you
5 passed him the baseball bat?

6 A. No.

7 Q. Okay. I want to refer you to the report that
8 you brought today, and you referred to in preparation
9 for your testimony, if you will. And there's not a page
10 number on your report. I'm referring to -- I'd like to
11 refresh your memory on your 12/21/09 supplement, and I
12 think it's your second page.

13 A. Okay.

14 Q. Where you go through the procedures that
15 you-all employed there behind the O'Reilly's. Did
16 you --

17 MR. CUMMINGS: May I approach, Your Honor?

18 THE COURT: You may.

19 Q. (BY MR. CUMMINGS) Just read to yourself and
20 let me know when you're done.

21 A. Okay.

22 Q. I'm not sure if you started early enough, but
23 do you know approximately what time you were doing this
24 with Mr. Rhodes?

25 A. I'd say approximately 3:00, 3:15.

1 Q. Okay. And do you recall the procedures --
2 strike that.

3 Do you recall, when you handed the bat to
4 Mr. Rhodes, what he did with it?

5 A. He placed it on a makeshift table that he had
6 made.

7 Q. Okay. And that makeshift table, what was it
8 made out of?

9 A. Cardboard.

10 Q. Where did he obtain that?

11 A. I believe from the side of the -- the dumpster
12 or the side of the building.

13 Q. So he laid it on that and then further
14 photographed the evidence?

15 A. I believe so.

16 Q. Okay. Do you recall whether he bagged the
17 baseball bat before you handed him another item?

18 A. I do not believe so.

19 Q. Okay. What was the next item that you passed
20 to Mr. Rhodes?

21 A. It was a large Samurai sword.

22 Q. And did he do the same with it?

23 A. Yes.

24 Q. Placed it on that piece of cardboard he
25 obtained on site there?

225

1 A. Yes.

2 Q. Okay. Do you know at what point he started
3 securing those items in evidence bags?

4 A. I believe it was when we had everything out and
5 after he photographed everything.

6 Q. Okay. Do you recall him laying the items
7 directly on the cardboard?

8 A. I do not recall if he did or not.

9 Q. Well, do you recall him getting any sort of
10 evidence -- strike that.

11 Any sort of paper from his van or anything
12 like that?

13 A. I don't think so.

14 Q. Okay. Did you -- you indicated earlier you
15 didn't recall taking any photographs yourself. Do you
16 still recall?

17 A. I did not take photographs inside the dumpster.

18 Q. Okay.

19 A. After the weapons were removed from the
20 dumpster and laid out, as I explained, I took some
21 photographs in that time.

22 Q. Okay. So you actually photoed the items
23 recovered, the exterior of the dumpster and interior of
24 the dumpster after, correct?

25 A. Yes, yes.

1 Q. Okay. Thank you. I appreciate it.

2 MR. CUMMINGS: That's all I have, Your

3 Honor.

4 THE COURT: Redirect?

5 MR. GILL: Briefly, Your Honor.

6 REDIRECT EXAMINATION

7 BY MR. GILL:

8 Q. Mr. Worthy, while you and Crime Scene Officer
9 Rhodes were out collecting items from that dumpster on
10 West Pioneer Parkway, do you know where Detective
11 Charbonnet was? You said earlier that he primarily did
12 the crime scene work in Kennedale.

13 A. I believe he was out of town in California.

14 Q. He was in San Diego, California; is that right?

15 A. Yes.

16 Q. When you were out there at the scene on
17 December the 18th, 2009, with Mr. Hummel, was Mr. Hummel
18 under arrest at the scene?

19 A. No.

20 Q. Was he being detained by the Kennedale Police
21 Department for any reason at that time?

22 A. No.

23 Q. How was -- how was Mr. Hummel being --

24 THE REPORTER: I'm sorry. I didn't hear
25 the response.

227

1 THE WITNESS: No.

2 Q. (BY MR. GILL) He was not being detained?

3 A. No.

4 Q. Was Mr. Hummel -- how was he being treated by
5 the Kennedale Police Department at that time?

6 A. I was treating him as a proper person, didn't
7 have any -- he wasn't detained at the time, no.

8 Q. Was he being treated as a person whose -- whose
9 house had just burned down?

10 A. Yes.

11 Q. While you were at the scene at Unit 51, do you
12 recall if it was necessary to change your VHS tapes in
13 your vehicle?

14 A. I believe so.

15 Q. Let me hand you what has been marked now as
16 State's Exhibits No. 220E and 220F. Do you recall -- do
17 you recognize each of those being VHS tapes?

18 A. I recognize them being VHS tapes.

19 Q. Okay. Are they dated December the 18th of
20 2009?

21 A. Yes.

22 Q. And the first of those tapes indicate that it
23 was pulled from your vehicle shortly after the 3:00
24 o'clock a.m. hour?

25 A. Yes.

1 Q. Now, let me show you what's been marked as

2 State's Exhibit No. 220C and ask if you recognize that
3 exhibit?

4 A. Yes.

5 Q. And what is State's Exhibit 220C?

6 A. That's Unit 51, the snippets in between where I
7 was speaking with Mr. Hummel.

8 Q. Have you had a chance to view the -- the images
9 and listen to the audio on State's Exhibit No. 220C?

10 A. Yes.

11 Q. And do you recognize it by your initials and
12 the date that appear on it?

13 A. Yes, my initials and the date of 6/9 of '11.

14 Q. And does it contain the raw video and raw audio
15 from approximately the 5:00 o'clock hour, including the
16 time you were speaking with Mr. Hummel at the scene of
17 the fire, 600 Little School Road on December 18th of
18 2009?

19 A. Yes.

20 MR. GILL: Your Honor, at this time we're
21 going to offer State's Exhibits No. 220C, 220E and 220F.

22 MR. CUMMINGS: We have no objection to the
23 introduction of those exhibits.

24 THE COURT: 220E, F and C are admitted.
25 (State's Exhibit Nos. 220C,

229

1 220E, 220F admitted)

2 Q. (BY MR. GILL) Officer Worthy, what was Mr.
3 Hummel's demeanor out at the scene when you were
4 speaking with him?

5 A. He -- a couple of times he would place his
6 hands down -- or his head down in his hands. He wasn't
7 crying. He just was basically sitting there.

8 Q. Did you and he have a couple of laughs while
9 you were out there?

10 A. Yes.

11 MR. GILL: We pass the witness, Your Honor.

12 THE COURT: Any recross?

13 MR. CUMMINGS: No -- may I, Judge? May I
14 approach him, Judge?

15 THE COURT: You may.

16 RECROSS-EXAMINATION

17 BY MR. CUMMINGS:

18 Q. I show you 220C.

19 A. Okay.

20 Q. I believe you testified that you knew that you
21 had seen this before because your initials are on there.

22 A. Yes, sir.

23 Q. And there is a date on it. What's the date?

24 A. 6/9 of '11.

25 Q. Okay. And is that when you looked at it?

1 A. Yes.

2 Q. Okay. I cannot tell. Are your initials on
3 these? That's going to be 220E and 220F.

4 A. They are on 220E. Those are my initials right
5 there with my ID number --

6 THE REPORTER: I'm sorry, sir?

7 THE WITNESS: My initials with my ID number
8 of 338.

9 Q. (BY MR. CUMMINGS) Is there a date that you
10 viewed this?

11 A. No.

12 Q. Okay. Do you recall when you viewed this?

13 A. I do not.

14 Q. You don't?

15 A. Huh-uh.

16 Q. Do you recall testifying earlier that you
17 didn't review it?

18 A. Yes, I did not (sic).

19 Q. But you now, because you've seen your
20 initials -- I'm confused. Did you?

21 A. No, I did not view that tape.

22 Q. But when did your initials get put on it in
23 here?

24 A. When it was taking -- taken out of the unit and
25 put into the drop box.

231

1 Q. Okay. Thank you.

2 A. You're welcome.

3 MR. CUMMINGS: That's all I have, Judge.

4 THE COURT: May the witness be excused?

5 MR. GILL: He may, Your Honor.

6 MR. MOORE: Subject to recall, Judge.

7 THE COURT: You're subject to recall, sir.

8 You may step down.

9 (Witness retires)

10 THE COURT: Members of the panel -- members
11 of the jury, this is our stopping point for the day.

12 Please remember the Court's previous instructions. You
13 may not discuss this case with anyone or amongst
14 yourselves. Do not conduct any investigations on your
15 own. Please refer to the pamphlet at all times if you
16 have any questions or contact the bailiff.

17 We will begin at 9:00 o'clock tomorrow.

18 Please be here approximately 8:30. Thank you very much.

19 You are excused for the evening.

20 (Jury not present)

21 THE COURT: We will be in recess. Thank
22 you. See you tomorrow at 8:30.

23 (Proceedings adjourned at 5:09 p.m.)

24

25

1 THE STATE OF TEXAS)

2 COUNTY OF TARRANT)

3 I, Angelica Taylor, Official Court Reporter
4 in and for the 432nd Judicial District Court of Tarrant
5 County, State of Texas, do hereby certify that the above
6 and foregoing contains a true and correct transcription
7 of all portions of evidence and other proceedings
8 requested in writing by counsel for the parties to be
9 included in this volume of the Reporter's Record, in the
10 above-styled and -numbered cause, all of which occurred
11 in open court or in chambers and were reported by me.

12 I further certify that this Reporter's
13 Record of the proceedings truly and correctly reflects
14 the exhibits, if any, admitted by the respective
15 parties.

16 WITNESS MY OFFICIAL HAND this the 25th day
17 of January, 2012.

18

19

20

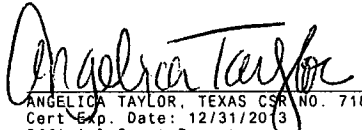
21

22

23

24

25


ANGELICA TAYLOR, TEXAS CSR NO. 7180
Cert Exp. Date: 12/31/2013
Official Court Reporter
432nd Judicial District Court
401 West Belknap Street
Fort Worth, Texas 76196

'86 [1] - 123:10	139 [4] - 197:6, 198:19, 209:11, 210:8	203:5, 204:6, 209:11, 210:8	19:2, 72:3, 113:3, 146:19	24 [2] - 16:12, 71:7
'92 [1] - 14:11	14 [8] - 12:2, 33:22, 34:8, 34:14, 40:4, 144:10, 210:19, 210:21	154 [12] - 84:20, 85:6, 85:14, 85:18, 85:24, 86:11, 87:9, 87:21, 89:13, 89:18, 90:6, 90:11	18 [8] - 16:21, 26:3, 31:12, 33:22, 72:4, 113:18, 121:4, 121:6	24-hour [2] - 38:8, 113:4
'93 [1] - 145:9	14,400 [1] - 81:6	154-155 [1] - 89:19	18th [13] - 16:18, 89:7, 146:10, 146:20, 146:23, 146:24, 164:22, 168:1, 190:1, 192:18, 198:11, 246:12, 248:9	25 [1] - 189:12
'94 [1] - 145:9	140 [10] - 130:22, 131:5, 131:15, 131:21, 132:13, 132:21, 133:8, 133:13, 133:20, 133:23	155 [11] - 84:20, 85:4, 85:14, 85:19, 85:24, 86:11, 87:9, 87:17, 89:13, 89:18, 90:14	19 [5] - 33:22, 45:16, 71:1, 101:5, 169:6	25th [1] - 250:16
'98 [1] - 14:12	140-142 [1] - 133:21	156 [5] - 197:24, 198:19, 209:12, 210:8, 210:11	1986 [1] - 185:15	29 [1] - 108:15
'99 [3] - 13:22, 14:13, 59:7	141 [10] - 130:6, 130:7, 130:9, 131:3, 132:13, 132:21, 133:8, 133:23, 134:21, 135:3	157 [13] - 47:25, 51:16, 52:5, 54:21, 55:3, 56:15, 56:19, 57:1, 57:8, 57:17, 93:9, 93:13	1987 [1] - 185:23	2:18 [1] - 150:1
0	142 [13] - 130:22, 131:5, 131:8, 131:15, 131:21, 132:6, 132:7, 132:8, 132:22, 133:8, 133:14, 133:20, 133:23	157-159 [1] - 56:21	1993 [1] - 145:1	2:27 [1] - 184:2
0900017546 [1] - 166:4	143 [9] - 197:16, 198:19, 204:18, 205:2, 205:12, 206:2, 209:11, 209:15, 210:8	158 [8] - 47:25, 51:16, 52:5, 55:4, 56:15, 56:19, 57:17, 93:22	1998 [3] - 13:22, 59:7, 186:18	2:49 [1] - 184:2
1	143-153 [1] - 210:11	159 [8] - 47:25, 51:17, 52:5, 55:4, 56:15, 56:20, 94:7, 95:4	1:15 [1] - 143:9	3
1 [1] - 197:21	144 [6] - 197:16, 204:18, 205:2, 205:12, 206:2, 209:15	16 [8] - 76:22, 196:17, 198:18, 209:9, 210:7, 210:10, 210:22, 210:23	1:30 [1] - 143:8	3 [2] - 72:8, 87:21
10 [6] - 33:21, 37:20, 38:4, 118:13, 118:24	1440 [1] - 81:6	160 [8] - 198:1, 198:19, 204:18, 205:3, 206:2, 209:12, 209:15, 210:8	1:40 [1] - 143:10	30 [2] - 140:23, 235:18
100 [2] - 187:7, 228:8	145 [2] - 197:20, 239:23	160-170 [1] - 210:11	2	30-inch [1] - 116:14
101 [1] - 228:13	146 [4] - 201:11, 203:5, 204:5, 240:14	1600 [1] - 213:8	2 [2] - 112:1, 233:1	300 [1] - 220:3
105 [1] - 229:21	147 [4] - 201:11, 203:5, 204:5, 240:15	161 [5] - 198:1, 204:18, 205:3, 206:2, 209:15	20 [4] - 33:22, 46:4, 167:11, 182:20	31 [5] - 196:21, 196:24, 198:18, 209:9, 210:7
106 [1] - 231:4	148 [3] - 201:12, 203:5, 204:5	162 [5] - 198:1, 204:19, 205:3, 206:3, 209:15	2000 [1] - 187:21	3100 [1] - 71:11
11 [2] - 33:21, 38:16	15 [12] - 118:14, 118:24, 159:2, 182:20, 196:17, 198:17, 209:9, 210:7, 210:10, 210:22, 210:23, 213:8	163 [3] - 198:4, 245:7, 245:13	2003 [1] - 111:12	32 [11] - 84:20, 84:23, 85:14, 85:18, 86:2, 88:15, 88:17, 89:13, 89:18, 89:19, 89:24
11/04/1975 [1] - 166:7	150 [2] - 240:20, 240:24	164 [2] - 245:18, 246:6	2009 [15] - 15:25, 16:4, 16:21, 26:3, 31:12, 72:4, 89:8, 113:18, 146:10, 146:20, 164:22, 168:1, 190:2, 198:11	32-inch [1] - 116:15
110 [3] - 231:11, 231:24, 232:12	152 [3] - 244:13, 244:15, 245:4	166 [3] - 246:17, 246:18, 246:24	2011 [1] - 12:2	33 [4] - 196:24, 198:18, 209:10, 210:7
115 [1] - 232:17	153 [9] - 197:20, 197:22, 197:23, 198:19, 201:12,	167 [1] - 246:24	2012 [1] - 250:17	33-58 [1] - 210:10
116 [2] - 232:21, 232:25		168 [1] - 246:24	21 [2] - 33:22, 46:8	342 [9] - 164:18, 164:19, 165:9, 165:12, 165:18, 165:20, 165:22, 180:23, 181:4
117 [1] - 233:6		169 [1] - 247:2	22 [4] - 33:22, 34:9, 34:15, 46:24	36 [1] - 211:17
119 [2] - 233:10, 233:13		17 [6] - 33:22, 34:9, 34:15, 40:23, 70:23, 144:18	220 [1] - 81:5	360 [2] - 98:19, 116:25
12 [8] - 14:7, 24:14, 33:22, 38:22, 39:1, 76:22, 121:4, 121:6		17-22 [1] - 34:16	23 [6] - 48:23, 49:1, 196:20, 198:18, 209:9, 210:7	38 [2] - 211:20, 212:14
12-18-09 [1] - 178:11		170 [5] - 198:4, 198:19, 209:12, 210:9, 247:25	23-31 [1] - 210:10	39 [2] - 214:24, 214:25
12/18/09 [1] - 167:18		17th [6] - 16:3, 16:15,	230 [9] - 41:3, 41:7, 41:11, 41:18, 44:10, 44:19, 45:1, 125:12, 125:15	3:00 [2] - 95:18
12/18/2009 [1] - 166:6			231 [11] - 41:3, 41:7, 41:11, 41:20, 41:23, 42:22, 43:24, 44:1, 44:10, 44:19, 45:2	3:19 [1] - 200:19
12/31/2013 [1] - 250:21			232 [13] - 41:3, 41:8, 41:11, 41:20, 42:2, 42:7, 42:8, 42:16, 42:19, 42:21, 44:11, 44:15, 45:2	3:38 [1] - 200:19
1200 [1] - 213:8			233 [2] - 55:19, 56:5	3:53 [1] - 209:24
123 [1] - 233:15				3:58 [1] - 209:24
124 [1] - 234:17				4
126 [1] - 235:25				4 [12] - 27:4, 27:5, 27:7, 27:9, 27:19, 27:24, 27:25, 28:1, 40:21, 72:5, 224:13, 228:6
128 [1] - 236:14				40 [1] - 215:1
129 [4] - 201:11, 203:4, 204:5, 236:17				401 [1] - 250:23
12:00 [1] - 143:10				402 [4] - 31:3, 31:15, 31:19, 32:1
12:18 [1] - 17:4				402-404 [1] - 31:20
12:20 [1] - 17:5				403 [12] - 31:3, 31:16, 31:19, 32:15, 32:21, 54:22, 55:24, 133:17, 206:12,
12:24 [1] - 17:5				
13 [3] - 33:22, 39:16, 39:18				
130 [1] - 236:21				
131 [1] - 236:25				
132 [3] - 237:22, 238:5, 238:10				
137 [1] - 239:2				

207:8, 207:13, 208:7 404 [7] - 31:4, 31:16, 31:19, 33:1, 33:5, 55:24, 206:12 41 [1] - 215:14 42 [4] - 215:17, 215:18, 215:21, 215:25 43 [1] - 216:9 432nd [2] - 250:4, 250:22 44 [1] - 216:20 47 [6] - 31:5, 217:15, 217:18, 217:21, 218:14, 218:23 47's [1] - 78:14 48 [2] - 16:12, 71:7 49 [1] - 219:16 4:00 [2] - 141:4, 191:16 4:16 [3] - 141:5, 141:15, 141:18 4:55 [1] - 249:21	6 6 [5] - 27:23, 33:21, 34:8, 34:14, 34:20 6-14 [1] - 34:16 60 [5] - 197:2, 198:18, 209:10, 210:7, 220:25 60-84 [1] - 210:11 600 [19] - 18:22, 20:11, 26:3, 28:20, 31:13, 34:1, 41:7, 46:1, 69:9, 147:23, 149:11, 157:18, 166:8, 168:14, 171:10, 182:19, 190:9, 197:7, 198:10 601 [1] - 152:16 61 [1] - 221:3 63 [3] - 201:11, 203:4, 204:5 65 [2] - 221:24, 222:8 68 [1] - 223:1 6:00 [1] - 192:19	121:25, 122:14, 122:19, 123:1, 123:5, 123:8, 123:13, 123:18, 124:3, 124:5, 124:7, 124:12, 124:14 86 [15] - 121:21, 121:22, 121:24, 121:25, 122:14, 122:19, 123:14, 123:19, 124:3, 124:5, 201:11, 203:4, 203:9, 203:10, 203:25 87 [5] - 197:6, 198:18, 209:11, 210:8, 225:2 87-139 [1] - 210:11 88 [1] - 225:12 89 [1] - 225:23 8:00 [2] - 147:2, 192:19 8:45 [1] - 249:19 8:59 [1] - 12:2	60:19, 61:20, 62:21, 78:12, 78:19, 91:6, 91:10, 92:21, 116:8, 117:16, 118:3, 120:2, 127:19, 127:22, 127:25, 130:17, 140:17, 156:23, 157:2, 179:14, 219:13, 225:25, 230:18, 235:25, 238:5, 243:16, 243:20, 247:25, 248:13, 248:24 above-styled [1] - 250:10 absolutely [14] - 72:19, 74:18, 77:15, 79:10, 81:3, 88:2, 88:9, 89:1, 90:15, 92:2, 100:23, 101:3, 105:23, 108:4 abundance [1] - 124:1 Academy [1] - 187:3 academy [9] - 13:17, 13:21, 14:12, 59:7, 59:18, 111:13, 111:16, 144:25, 145:2 access [3] - 95:2, 159:9, 219:18 accidental [2] - 221:14, 248:25 accommodations [1] - 45:22 accompanied [1] - 174:24 according [3] - 173:4, 182:9, 203:20 accordingly [1] - 208:5 accumulated [1] - 93:23 accumulation [1] - 94:7 accuracy [1] - 208:2 accurate [10] - 26:1, 31:10, 33:25, 98:2, 100:11, 123:13, 129:25, 131:15, 142:15, 198:13 accurately [2] - 86:5, 203:8 acres [1] - 125:8 acronym [1] - 112:14 act [1] - 249:2 acting [1] - 173:11 action [1] - 148:10 actions [1] - 21:5 active [1] - 187:14	actively [1] - 62:6 activities [7] - 17:12, 68:3, 80:2, 95:9, 112:25, 124:19, 136:13 activity [1] - 170:10 actual [8] - 27:13, 65:16, 74:24, 79:22, 82:2, 214:22, 235:13, 236:5 AD [14] - 32:18, 35:23, 50:18, 51:8, 81:22, 83:24, 92:8, 92:20, 93:9, 98:9, 103:23, 105:16, 241:4 adapted [1] - 45:21 adaptors [1] - 115:10 add [3] - 19:23, 54:3, 58:18 added [1] - 120:1 addition [5] - 186:14, 191:3, 207:9, 230:6, 246:21 additional [9] - 18:9, 19:7, 49:6, 49:10, 79:17, 101:17, 137:14, 138:5, 241:23 additionally [1] - 187:6 address [7] - 18:25, 42:7, 157:10, 166:8, 166:10, 166:13, 166:16 addresses [1] - 34:22 adjacent [1] - 241:21 adjourned [1] - 249:21 admits [1] - 34:13 admitted [39] - 26:22, 26:23, 27:23, 28:1, 31:19, 31:20, 34:16, 42:21, 44:11, 44:16, 44:19, 45:2, 53:9, 53:17, 53:23, 54:6, 56:6, 56:20, 89:18, 89:19, 93:4, 124:3, 124:5, 133:20, 133:21, 165:19, 165:20, 208:16, 209:9, 209:10, 209:11, 209:12, 209:13, 210:9, 210:11, 250:14 admitted [1] - 56:21 adult [1] - 245:15 advance [1] - 117:19 advanced [7] - 14:3, 14:16, 14:18, 145:12, 145:15, 145:16, 187:5
5 5 [36] - 25:21, 25:23, 26:19, 26:22, 26:23, 27:10, 28:19, 28:20, 29:5, 29:9, 32:18, 36:24, 37:6, 38:5, 38:18, 38:23, 48:4, 50:18, 51:9, 53:10, 54:14, 57:2, 58:2, 76:5, 76:7, 78:11, 80:6, 89:3, 102:13, 118:13, 122:12, 123:15, 128:20, 193:5, 211:9, 232:12 500 [1] - 228:6 51 [1] - 36:3 57 [1] - 93:4 58 [4] - 196:24, 198:18, 209:10, 210:7 59 [10] - 128:15, 128:16, 131:21, 132:24, 133:20, 133:21, 133:23, 134:3, 189:15, 189:17 5:00 [3] - 147:2, 166:24 5:00ish [1] - 171:9 5:18 [2] - 158:9, 174:19 5:30 [2] - 158:9, 174:19	7 7 [3] - 33:21, 34:24, 35:4 71 [1] - 223:19 7180 [1] - 250:21 73 [1] - 223:25 75 [1] - 224:4 76060 [1] - 166:9 76196 [1] - 250:23 77 [4] - 201:11, 203:4, 204:5, 224:9 770-1823 [1] - 166:10 78 [3] - 201:11, 203:4, 204:5 79 [1] - 224:17 7:00 [7] - 16:6, 16:10, 16:11, 16:14, 16:17, 65:11, 192:19 7:45 [1] - 65:13	9 9 [2] - 33:21, 37:8 9/11 [1] - 186:2 90 [1] - 225:25 91 [1] - 226:4 92 [1] - 226:7 93 [1] - 226:14 94 [1] - 226:16 98 [2] - 226:25, 227:1 9:00 [3] - 147:2, 166:19, 249:18 9:44 [1] - 43:13 9:59 [1] - 43:13	A a.m [9] - 12:2, 17:5, 43:13, 141:5, 141:15, 150:1, 166:24, 249:18 AB [25] - 21:25, 22:6, 30:10, 30:18, 32:5, 35:8, 38:19, 47:2, 49:11, 49:12, 49:23, 78:12, 116:7, 116:12, 120:14, 122:15, 122:20, 123:15, 137:10, 137:11, 137:22, 142:6, 142:7, 247:13 ability [1] - 242:6 able [41] - 19:4, 21:10, 24:15, 24:16, 24:17, 24:23, 25:10, 30:2, 30:8, 33:11, 49:24,	
8 8 [4] - 33:21, 35:21, 37:1, 41:24 80 [1] - 224:21 80-hour [1] - 187:23 81 [5] - 203:10, 203:11, 203:13, 203:25, 204:5 817 [1] - 166:10 84 [4] - 197:3, 198:18, 209:10, 210:8 85 [16] - 121:21, 121:22, 121:24,				

<p>advise [1] - 156:5</p> <p>advised [1] - 154:19</p> <p>aerial [1] - 15:19</p> <p>affiant [2] - 181:14, 181:17</p> <p>affidavit [1] - 167:15</p> <p>afraid [1] - 140:13</p> <p>afternoon [5] - 69:8, 169:3, 169:4, 184:23, 213:23</p> <p>agencies [5] - 96:18, 99:19, 112:12, 113:5, 189:2</p> <p>agency [6] - 71:23, 75:19, 99:7, 169:5, 185:19, 185:20</p> <p>Agent [23] - 164:7, 180:14, 182:13, 183:20, 184:13, 184:14, 184:23, 193:4, 197:6, 201:3, 201:8, 203:20, 204:18, 210:18, 212:6, 213:23, 215:19, 217:15, 225:5, 226:10, 231:11, 233:22, 245:2</p> <p>agent [6] - 99:18, 163:20, 186:5, 190:11, 244:5</p> <p>agents [2] - 55:21, 189:12</p> <p>ago [4] - 51:16, 187:22, 221:1, 231:13</p> <p>agreed [3] - 173:18, 206:21, 248:14</p> <p>agreement [3] - 71:20, 96:8, 112:22</p> <p>ahead [7] - 12:15, 42:23, 177:16, 179:20, 179:24, 181:5, 225:5</p> <p>aid [23] - 19:7, 19:8, 20:2, 26:6, 26:9, 26:15, 27:15, 71:16, 71:20, 71:21, 92:16, 96:14, 96:16, 96:22, 97:5, 112:18, 112:21, 115:1, 198:8</p> <p>air [11] - 23:18, 79:12, 81:13, 107:4, 113:12, 192:8, 228:12, 229:12, 229:19, 239:7, 246:13</p> <p>air-purifying [1] - 192:8</p> <p>alarm [9] - 19:11,</p>	<p>19:13, 19:17, 19:25, 39:4, 71:17, 97:1, 114:8, 179:2</p> <p>Alcohol [1] - 185:22</p> <p>alert [1] - 17:2</p> <p>alerted [1] - 16:25</p> <p>alleviate [2] - 75:1, 75:2</p> <p>allow [3] - 160:2, 174:6, 235:3</p> <p>allowed [5] - 95:9, 95:17, 159:19, 160:17, 175:11</p> <p>allowing [1] - 232:5</p> <p>allows [1] - 129:6</p> <p>almost [2] - 14:7, 202:17</p> <p>alone [1] - 162:1</p> <p>altogether [1] - 144:17</p> <p>aluminum [7] - 195:3, 211:1, 211:3, 211:4, 211:5, 237:10</p> <p>ambulance [5] - 18:4, 18:11, 19:22, 30:5, 113:1</p> <p>ambulances [1] - 15:10</p> <p>amount [7] - 36:8, 69:3, 212:9, 247:8, 247:14, 247:18, 247:20</p> <p>and.. [2] - 35:10, 66:19</p> <p>Andy [2] - 12:20, 13:9</p> <p>ANDY [1] - 13:4</p> <p>Angelica [1] - 250:3</p> <p>ANGELICA [1] - 250:21</p> <p>Angie [3] - 28:14, 134:17, 209:20</p> <p>angle [2] - 90:14, 107:16</p> <p>angles [1] - 131:12</p> <p>animal [3] - 46:15, 46:17, 46:19</p> <p>announce [1] - 21:4</p> <p>answer [1] - 132:12</p> <p>answered [1] - 85:18</p> <p>anytime [1] - 55:15</p> <p>apart [2] - 136:19, 154:1</p> <p>apartment [2] - 116:18, 126:21</p> <p>apologize [1] - 86:19</p> <p>apparatus [21] - 15:6, 19:21, 22:12, 23:17, 37:23, 71:8, 72:1, 75:20, 75:21, 76:13, 79:16, 96:25, 97:1, 97:10, 97:20, 97:22, 113:9, 113:10,</p>	<p>113:11, 136:22, 192:6</p> <p>Apparatus [2] - 89:9, 90:25</p> <p>apparatuses [1] - 170:11</p> <p>apparent [1] - 193:23</p> <p>appear [13] - 47:12, 86:11, 93:14, 163:5, 195:17, 204:24, 205:6, 239:24, 242:17, 243:23, 244:1, 244:6</p> <p>appearance [1] - 228:22</p> <p>appeared [4] - 42:6, 127:21, 230:21, 245:6</p> <p>apply [3] - 94:12, 94:14, 132:23</p> <p>applying [1] - 75:8</p> <p>approach [18] - 20:11, 25:15, 28:18, 40:17, 41:19, 47:18, 52:7, 56:22, 84:15, 85:24, 86:22, 93:1, 121:16, 128:10, 132:1, 175:19, 196:14, 198:25</p> <p>approached [6] - 154:7, 158:3, 172:11, 172:15, 181:8, 181:10</p> <p>appropriately [1] - 173:11</p> <p>area [85] - 20:15, 24:2, 28:19, 37:4, 37:11, 42:3, 45:11, 49:4, 49:18, 49:19, 53:13, 62:6, 63:8, 71:25, 81:18, 82:15, 85:11, 88:5, 90:21, 93:12, 96:8, 97:2, 103:12, 107:8, 112:13, 112:19, 116:16, 119:11, 120:3, 120:9, 120:10, 120:11, 125:13, 128:23, 137:6, 137:14, 138:9, 138:11, 138:14, 139:10, 159:13, 160:12, 160:15, 175:12, 191:25, 194:2, 194:10, 195:12, 211:21, 211:22, 213:4, 213:15, 214:16, 215:11, 216:11, 218:4, 219:18,</p>	<p>219:19, 220:24, 221:23, 222:5, 222:6, 223:5, 225:11, 225:23, 226:22, 229:2, 229:17, 235:1, 238:1, 240:6, 240:7, 241:20, 241:25, 244:21, 244:23, 245:20, 245:22, 246:6, 246:8, 247:2, 247:12, 249:5</p> <p>area-wide [1] - 96:8</p> <p>areas [10] - 119:8, 119:19, 119:25, 192:12, 202:21, 229:14, 231:23, 240:12, 242:2, 242:17</p> <p>Arlington [3] - 112:11, 166:8, 185:9</p> <p>arrest [1] - 168:4</p> <p>arrival [2] - 30:12, 150:14</p> <p>arrive [5] - 22:11, 113:16, 136:16, 149:18, 163:17</p> <p>arrived [25] - 30:13, 47:14, 63:19, 64:9, 66:25, 67:18, 75:15, 76:1, 102:4, 102:5, 136:15, 136:17, 136:19, 137:19, 149:21, 149:25, 152:4, 152:13, 152:18, 157:24, 171:6, 172:4, 172:5, 180:20, 239:5</p> <p>arriving [3] - 20:24, 141:17, 191:1</p> <p>arson [5] - 186:13, 189:20, 248:12, 248:22</p> <p>Arson [2] - 188:25, 189:4</p> <p>ascertain [1] - 155:16</p> <p>ashes [1] - 127:6</p> <p>asleep [2] - 17:9, 147:6</p> <p>aspect [2] - 53:20, 91:19</p> <p>aspects [2] - 53:7, 131:12</p> <p>asserting [2] - 207:15, 207:24</p> <p>assess [1] - 191:9</p> <p>assessment [1] - 230:21</p> <p>assessments [1] - 79:22</p>	<p>assets [2] - 190:21, 248:11</p> <p>assigned [4] - 139:14, 188:23, 188:24, 189:12</p> <p>assignment [9] - 19:11, 19:14, 19:17, 76:4, 76:5, 100:18, 100:19, 101:1, 106:8</p> <p>assignments [1] - 170:23</p> <p>assist [6] - 96:9, 102:10, 104:20, 168:18, 190:13, 190:16</p> <p>assistance [9] - 149:16, 150:24, 151:16, 154:13, 154:21, 154:23, 168:19, 168:21, 176:22</p> <p>assisted [3] - 65:21, 102:15, 182:17</p> <p>assists [1] - 170:22</p> <p>associated [2] - 96:4, 106:9</p> <p>Association [1] - 189:4</p> <p>association [2] - 112:12, 112:14</p> <p>assume [2] - 111:13, 113:4</p> <p>assumption [1] - 203:23</p> <p>ATF [11] - 55:23, 163:19, 163:20, 185:23, 186:5, 186:6, 186:10, 186:20, 189:7, 190:11, 244:5</p> <p>ATF's [1] - 188:11</p> <p>atmosphere [5] - 18:21, 23:18, 84:4, 87:6, 117:8</p> <p>atmospheric [8] - 30:22, 73:14, 73:16, 76:19, 92:20, 116:19, 123:5, 123:8</p> <p>atmospheric-wise [1] - 123:8</p> <p>attaches [1] - 23:17</p> <p>attack [18] - 23:20, 24:1, 25:11, 26:11, 29:23, 30:14, 30:16, 30:19, 38:19, 48:9, 64:22, 72:24, 81:9, 91:10, 93:17, 103:19, 117:17</p> <p>attempted [1] - 37:11</p> <p>attend [1] - 145:2</p>
---	--	--	--	---

<p>attended [3] - 144:24, 188:11, 188:15</p> <p>attention [3] - 125:11, 132:6, 204:18</p> <p>attic [8] - 82:23, 109:7, 127:9, 217:4, 217:12, 223:8</p> <p>attorney [1] - 165:1</p> <p>Attorney's [1] - 185:12</p> <p>attorneys [2] - 69:24, 183:15</p> <p>atypical [1] - 247:18</p> <p>automatic [6] - 71:21, 96:14, 96:15, 96:21, 96:22, 97:5</p> <p>automatically [4] - 52:1, 71:24, 71:25, 96:21</p> <p>available [2] - 18:11, 72:1</p> <p>aware [2] - 37:18, 199:6</p> <p>awhile [7] - 20:9, 72:23, 77:5, 114:9, 140:19, 166:20, 172:17</p> <p>axe [1] - 79:21</p>	<p>based [17] - 19:6, 69:6, 73:12, 76:6, 93:20, 206:12, 212:15, 214:3, 214:5, 214:6, 217:25, 235:15, 247:18, 247:19, 247:20, 247:24, 249:8</p> <p>basic [8] - 13:15, 13:17, 14:2, 15:3, 15:4, 112:4, 145:15, 211:19</p> <p>basics [2] - 15:14, 100:4</p> <p>basis [7] - 42:2, 50:21, 52:14, 52:15, 52:16, 126:13, 206:3</p> <p>basket [2] - 245:22, 245:25</p> <p>bathroom [5] - 102:24, 103:3, 103:10, 232:13, 233:9</p> <p>bathtub [1] - 234:4</p> <p>battalion [3] - 98:22, 99:2, 99:13</p> <p>battery [1] - 230:16</p> <p>BC [1] - 138:16</p> <p>beam [1] - 237:20</p> <p>became [2] - 24:2, 24:3</p> <p>become [2] - 13:12, 23:9</p> <p>bed [31] - 50:2, 62:17, 62:18, 62:20, 62:22, 83:13, 91:2, 91:3, 93:25, 94:1, 94:3, 105:15, 120:17, 121:10, 121:11, 122:23, 127:21, 127:23, 131:8, 224:7, 224:9, 225:11, 225:13, 225:14, 225:23, 237:6, 238:10, 238:12, 239:3, 240:21, 243:7</p> <p>bedding [1] - 225:17</p> <p>bedroom [34] - 73:7, 82:3, 82:16, 82:17, 83:14, 83:23, 84:21, 90:19, 91:3, 91:8, 92:8, 92:21, 93:9, 107:13, 120:15, 122:20, 126:17, 126:20, 127:16, 131:13, 193:15, 195:8, 236:20, 236:23, 239:4,</p>	<p>240:17, 241:17, 242:16, 242:20, 247:14, 247:15</p> <p>bedrooms [1] - 74:14</p> <p>beeping [2] - 230:12, 230:17</p> <p>beg [1] - 85:21</p> <p>began [3] - 151:8, 166:22, 245:9</p> <p>begin [3] - 30:3, 161:17, 162:8</p> <p>beginning [3] - 78:14, 163:4, 176:14</p> <p>begins [2] - 228:19, 229:11</p> <p>begin [1] - 237:13</p> <p>behind [12] - 17:19, 40:24, 45:7, 58:17, 87:25, 218:13, 218:24, 220:10, 221:8, 228:9, 244:19, 244:25</p> <p>Belknap [1] - 250:23</p> <p>belong [1] - 112:14</p> <p>below [12] - 29:9, 97:16, 167:1, 167:13, 213:5, 213:15, 213:19, 217:13, 222:6, 228:11, 232:5, 238:9</p> <p>BENCH [4] - 41:22, 52:9, 85:25, 199:2</p> <p>benefit [2] - 102:12, 211:11</p> <p>beside [1] - 178:2</p> <p>best [4] - 21:8, 82:20, 108:25, 244:11</p> <p>better [5] - 147:15, 174:4, 206:8, 245:21, 248:1</p> <p>between [13] - 15:16, 54:10, 103:22, 104:7, 141:17, 169:8, 170:24, 174:18, 180:3, 222:5, 223:2, 242:8, 242:22</p> <p>beyond [3] - 165:15, 207:22, 207:23</p> <p>big [3] - 112:7, 169:5, 240:19</p> <p>bind [1] - 203:24</p> <p>birth [2] - 166:7, 166:8</p> <p>bit [15] - 62:17, 92:18, 107:18, 112:22, 119:10, 138:10, 138:19, 147:13, 148:23, 185:3, 191:11, 193:13, 197:12, 236:4, 248:1</p>	<p>black [8] - 77:8, 77:10, 77:17, 79:3, 162:19, 162:22, 163:8, 205:2</p> <p>blackened [1] - 223:11</p> <p>blank [8] - 166:5, 167:4, 167:6, 167:7, 167:10, 167:11, 167:16</p> <p>blanks [2] - 177:5, 177:17</p> <p>blocking [3] - 30:7, 37:19</p> <p>blood [5] - 245:20, 247:8, 247:16, 247:20, 247:23</p> <p>blue [8] - 76:21, 109:13, 163:9, 224:12, 229:22, 232:12, 232:19, 232:22</p> <p>blueprint [1] - 27:8</p> <p>board [6] - 25:21, 193:4, 235:17, 240:5, 240:7, 243:1</p> <p>bodies [4] - 134:7, 206:15, 207:1, 241:22</p> <p>body [40] - 50:1, 51:13, 51:15, 93:13, 93:18, 94:8, 106:6, 120:17, 120:22, 120:25, 121:6, 121:8, 121:10, 124:19, 126:3, 128:8, 130:10, 131:2, 131:3, 142:3, 142:4, 148:9, 204:25, 205:11, 205:17, 205:22, 207:2, 225:21, 243:13, 244:2, 244:6, 245:13, 245:15, 245:20, 245:22, 246:8, 246:12, 246:14, 248:2, 248:4</p> <p>bolt [1] - 240:9</p> <p>book [6] - 196:10, 196:24, 197:12, 197:20, 198:5, 201:10</p> <p>border [1] - 72:11</p> <p>bottom [12] - 29:5, 78:21, 88:24, 126:9, 178:6, 178:13, 180:23, 213:6, 223:7, 224:20, 232:23, 246:6</p> <p>boundaries [4] -</p>	<p>26:14, 106:21, 106:23, 107:12</p> <p>box [3] - 121:14, 122:23, 240:21</p> <p>Boy [1] - 218:13</p> <p>breached [2] - 87:19, 88:13</p> <p>break [12] - 35:10, 36:16, 43:5, 43:9, 75:11, 101:9, 136:3, 140:3, 160:20, 183:23, 199:23, 243:12</p> <p>breaker [1] - 195:22</p> <p>breaks [1] - 94:13</p> <p>breathe [1] - 117:9</p> <p>breathing [6] - 23:16, 37:22, 38:2, 74:12, 75:6, 192:6</p> <p>BRETT [1] - 110:21</p> <p>Brett [1] - 111:4</p> <p>brick [1] - 88:24</p> <p>brief [2] - 184:1, 200:13</p> <p>briefing [3] - 150:17, 190:25, 191:3</p> <p>briefly [1] - 136:12</p> <p>bring [10] - 12:15, 44:23, 115:5, 143:12, 158:3, 161:8, 182:8, 184:7, 209:18, 210:4</p> <p>Brissette [2] - 42:11, 100:4</p> <p>BRISSETTE [119] - 12:6, 12:10, 12:20, 13:3, 13:7, 14:24, 25:15, 25:18, 26:18, 26:24, 27:2, 27:19, 27:24, 28:2, 28:5, 28:8, 28:14, 31:15, 31:21, 31:24, 32:15, 34:7, 34:17, 34:20, 34:25, 35:3, 40:17, 40:20, 41:10, 41:14, 42:9, 42:13, 42:17, 43:3, 43:5, 43:17, 44:14, 44:18, 44:22, 45:5, 47:6, 47:9, 47:18, 47:23, 51:7, 52:4, 53:5, 53:10, 53:15, 53:18, 54:18, 55:6, 55:13, 55:15, 55:18, 56:4, 56:14, 56:17, 56:22, 56:25, 59:2, 63:24, 68:15, 69:13, 70:6, 70:13, 70:17, 84:15, 84:18, 85:13, 86:17, 86:22, 86:24, 89:12, 89:20,</p>
B				
<p>bachelor [1] - 185:5</p> <p>backed [4] - 85:10, 90:21, 91:1, 92:21</p> <p>background [2] - 59:18, 186:6</p> <p>backing [1] - 92:15</p> <p>backside [3] - 24:6, 67:10, 226:4</p> <p>backyard [2] - 39:19, 39:24</p> <p>bad [1] - 139:20</p> <p>badge [1] - 166:3</p> <p>bag [3] - 205:2, 205:13, 205:22</p> <p>bags [3] - 205:11, 205:17, 207:2</p> <p>bailed [1] - 81:25</p> <p>balance [1] - 77:3</p> <p>balancing [7] - 52:25, 54:23, 55:1, 55:25, 133:12, 133:18, 207:9</p> <p>banking [1] - 212:20</p> <p>Baptist [1] - 67:7</p> <p>bar [7] - 79:17, 79:18, 87:15, 87:16, 87:17, 127:15, 127:20</p> <p>bare [2] - 222:11, 222:23</p> <p>base [1] - 211:6</p>	<p>became [2] - 24:2, 24:3</p> <p>become [2] - 13:12, 23:9</p> <p>bed [31] - 50:2, 62:17, 62:18, 62:20, 62:22, 83:13, 91:2, 91:3, 93:25, 94:1, 94:3, 105:15, 120:17, 121:10, 121:11, 122:23, 127:21, 127:23, 131:8, 224:7, 224:9, 225:11, 225:13, 225:14, 225:23, 237:6, 238:10, 238:12, 239:3, 240:21, 243:7</p> <p>bedding [1] - 225:17</p> <p>bedroom [34] - 73:7, 82:3, 82:16, 82:17, 83:14, 83:23, 84:21, 90:19, 91:3, 91:8, 92:8, 92:21, 93:9, 107:13, 120:15, 122:20, 126:17, 126:20, 127:16, 131:13, 193:15, 195:8, 236:20, 236:23, 239:4,</p>	<p>BENCH [4] - 41:22, 52:9, 85:25, 199:2</p> <p>benefit [2] - 102:12, 211:11</p> <p>beside [1] - 178:2</p> <p>best [4] - 21:8, 82:20, 108:25, 244:11</p> <p>better [5] - 147:15, 174:4, 206:8, 245:21, 248:1</p> <p>between [13] - 15:16, 54:10, 103:22, 104:7, 141:17, 169:8, 170:24, 174:18, 180:3, 222:5, 223:2, 242:8, 242:22</p> <p>beyond [3] - 165:15, 207:22, 207:23</p> <p>big [3] - 112:7, 169:5, 240:19</p> <p>bind [1] - 203:24</p> <p>birth [2] - 166:7, 166:8</p> <p>bit [15] - 62:17, 92:18, 107:18, 112:22, 119:10, 138:10, 138:19, 147:13, 148:23, 185:3, 191:11, 193:13, 197:12, 236:4, 248:1</p>	<p>black [8] - 77:8, 77:10, 77:17, 79:3, 162:19, 162:22, 163:8, 205:2</p> <p>blackened [1] - 223:11</p> <p>blank [8] - 166:5, 167:4, 167:6, 167:7, 167:10, 167:11, 167:16</p> <p>blanks [2] - 177:5, 177:17</p> <p>blocking [3] - 30:7, 37:19</p> <p>blood [5] - 245:20, 247:8, 247:16, 247:20, 247:23</p> <p>blue [8] - 76:21, 109:13, 163:9, 224:12, 229:22, 232:12, 232:19, 232:22</p> <p>blueprint [1] - 27:8</p> <p>board [6] - 25:21, 193:4, 235:17, 240:5, 240:7, 243:1</p> <p>bodies [4] - 134:7, 206:15, 207:1, 241:22</p> <p>body [40] - 50:1, 51:13, 51:15, 93:13, 93:18, 94:8, 106:6, 120:17, 120:22, 120:25, 121:6, 121:8, 121:10, 124:19, 126:3, 128:8, 130:10, 131:2, 131:3, 142:3, 142:4, 148:9, 204:25, 205:11, 205:17, 205:22, 207:2, 225:21, 243:13, 244:2, 244:6, 245:13, 245:15, 245:20, 245:22, 246:8, 246:12, 246:14, 248:2, 248:4</p> <p>bolt [1] - 240:9</p> <p>book [6] - 196:10, 196:24, 197:12, 197:20, 198:5, 201:10</p> <p>border [1] - 72:11</p> <p>bottom [12] - 29:5, 78:21, 88:24, 126:9, 178:6, 178:13, 180:23, 213:6, 223:7, 224:20, 232:23, 246:6</p> <p>boundaries [4] -</p>	<p>26:14, 106:21, 106:23, 107:12</p> <p>box [3] - 121:14, 122:23, 240:21</p> <p>Boy [1] - 218:13</p> <p>breached [2] - 87:19, 88:13</p> <p>break [12] - 35:10, 36:16, 43:5, 43:9, 75:11, 101:9, 136:3, 140:3, 160:20, 183:23, 199:23, 243:12</p> <p>breaker [1] - 195:22</p> <p>breaks [1] - 94:13</p> <p>breathe [1] - 117:9</p> <p>breathing [6] - 23:16, 37:22, 38:2, 74:12, 75:6, 192:6</p> <p>BRETT [1] - 110:21</p> <p>Brett [1] - 111:4</p> <p>brick [1] - 88:24</p> <p>brief [2] - 184:1, 200:13</p> <p>briefing [3] - 150:17, 190:25, 191:3</p> <p>briefly [1] - 136:12</p> <p>bring [10] - 12:15, 44:23, 115:5, 143:12, 158:3, 161:8, 182:8, 184:7, 209:18, 210:4</p> <p>Brissette [2] - 42:11, 100:4</p> <p>BRISSETTE [119] - 12:6, 12:10, 12:20, 13:3, 13:7, 14:24, 25:15, 25:18, 26:18, 26:24, 27:2, 27:19, 27:24, 28:2, 28:5, 28:8, 28:14, 31:15, 31:21, 31:24, 32:15, 34:7, 34:17, 34:20, 34:25, 35:3, 40:17, 40:20, 41:10, 41:14, 42:9, 42:13, 42:17, 43:3, 43:5, 43:17, 44:14, 44:18, 44:22, 45:5, 47:6, 47:9, 47:18, 47:23, 51:7, 52:4, 53:5, 53:10, 53:15, 53:18, 54:18, 55:6, 55:13, 55:15, 55:18, 56:4, 56:14, 56:17, 56:22, 56:25, 59:2, 63:24, 68:15, 69:13, 70:6, 70:13, 70:17, 84:15, 84:18, 85:13, 86:17, 86:22, 86:24, 89:12, 89:20,</p>

<p>89:23, 92:14, 93:1, 93:3, 95:4, 95:7, 95:19, 106:18, 106:20, 108:6, 109:23, 110:13, 110:24, 116:8, 121:16, 121:19, 123:17, 124:7, 124:10, 126:16, 128:10, 128:13, 131:19, 133:22, 134:1, 134:9, 134:12, 135:25, 142:20, 183:19, 184:5, 184:12, 184:22, 196:14, 196:16, 198:16, 200:23, 206:14, 209:20, 210:13, 210:17, 212:2, 212:5, 249:11</p> <p>Broad [2] - 71:11</p> <p>broke [1] - 104:9</p> <p>broken [2] - 94:11, 127:6</p> <p>brought [2] - 224:14, 238:14</p> <p>brown [3] - 49:23, 219:18, 226:12</p> <p>Brownsville [1] - 185:16</p> <p>brush [3] - 15:8, 18:20, 113:12</p> <p>build [2] - 213:4, 213:7</p> <p>building [14] - 21:8, 22:18, 23:25, 32:7, 35:24, 45:15, 60:20, 60:21, 60:23, 67:1, 83:23, 91:5, 159:2, 191:10</p> <p>built [1] - 235:16</p> <p>bulk [1] - 65:4</p> <p>bunker [1] - 18:16</p> <p>burden [3] - 207:20, 207:22, 208:4</p> <p>Bureau [1] - 185:22</p> <p>burn [12] - 73:5, 77:6, 212:9, 217:12, 227:16, 228:3, 232:14, 237:16, 240:10, 240:11</p> <p>burn-throughs [1] - 237:16</p> <p>burned [13] - 75:4, 98:14, 126:6, 126:7, 138:13, 166:24, 191:12, 237:3, 237:23, 238:7, 238:9, 240:6</p>	<p>burning [36] - 23:12, 62:6, 72:22, 72:23, 73:1, 73:3, 73:4, 73:22, 74:21, 74:25, 77:20, 102:3, 174:9, 214:15, 214:21, 214:23, 217:8, 226:19, 229:2, 229:11, 229:12, 234:11, 234:24, 235:3, 236:11, 237:5, 238:22, 240:8, 241:10, 241:12, 241:16, 241:23, 242:1, 242:16, 244:19, 244:23</p> <p>burns [7] - 74:25, 77:5, 188:8, 228:18, 246:15</p> <p>business [1] - 147:1</p> <p>busted [1] - 83:17</p> <p>but.. [1] - 107:7</p> <p>butted [1] - 30:7</p> <p>button [1] - 193:6</p> <p>BY [49] - 13:7, 14:24, 25:18, 27:2, 28:5, 28:14, 31:24, 32:15, 34:20, 35:3, 40:20, 45:5, 47:9, 47:23, 51:7, 56:25, 59:5, 64:1, 68:15, 70:17, 84:18, 86:24, 89:23, 92:14, 93:3, 95:7, 95:23, 106:20, 108:9, 110:24, 116:8, 121:19, 124:10, 126:16, 128:13, 132:4, 134:12, 136:9, 144:3, 153:22, 165:21, 169:2, 175:21, 184:22, 196:16, 201:6, 204:17, 210:17, 212:5</p>	<p>cannot [3] - 28:12, 77:1, 77:9</p> <p>canopy [1] - 40:14</p> <p>cans [1] - 47:4</p> <p>capabilities [1] - 15:17</p> <p>CAPT [1] - 167:8</p> <p>Captain [16] - 46:12, 70:21, 72:15, 82:22, 86:24, 90:7, 91:25, 95:24, 106:14, 110:2, 154:12, 165:21, 177:24, 180:8, 183:3, 240:25</p> <p>captain [15] - 70:6, 70:7, 70:19, 71:4, 89:23, 95:7, 97:20, 106:21, 144:21, 144:22, 145:18, 145:21, 169:3, 169:14, 183:13</p> <p>capture [1] - 179:24</p> <p>captured [1] - 41:25</p> <p>car [1] - 78:8</p> <p>Car [2] - 36:3, 78:14</p> <p>carbon [2] - 77:8, 77:17</p> <p>care [5] - 14:18, 18:12, 18:13, 98:24, 98:25</p> <p>careful [1] - 234:1</p> <p>Carlson [15] - 146:4, 150:16, 151:1, 163:18, 164:4, 170:4, 170:15, 170:22, 171:4, 171:19, 171:24, 181:2, 181:8, 181:9, 182:14</p> <p>Carlson's [1] - 170:24</p> <p>carpet [2] - 247:2, 247:6</p> <p>carpeting [1] - 237:15</p> <p>carries [5] - 15:17, 15:18, 23:18, 68:18</p> <p>carry [2] - 14:16, 15:20</p> <p>case [20] - 48:22, 81:24, 105:3, 114:5, 167:21, 168:10, 170:7, 196:12, 205:1, 205:2, 205:3, 205:12, 206:18, 208:4, 225:21, 229:15, 230:10, 233:24, 234:8, 249:16</p> <p>Case [1] - 166:4</p> <p>casual [1] - 162:17</p> <p>catch [1] - 209:21</p> <p>category [1] - 174:12</p>	<p>caught [1] - 33:2</p> <p>caused [2] - 216:5, 244:7</p> <p>causes [1] - 248:25</p> <p>caution [2] - 124:1, 191:23</p> <p>CD [12] - 29:17, 60:24, 78:18, 91:8, 103:7, 103:23, 107:13, 126:2, 126:17, 127:12, 130:12, 131:13</p> <p>ceiling [20] - 17:1, 79:4, 82:18, 83:1, 93:14, 94:16, 106:3, 126:8, 127:7, 179:9, 212:25, 213:1, 217:1, 217:10, 217:11, 220:5, 223:3, 223:14, 234:18, 243:1</p> <p>ceilings [1] - 93:6</p> <p>cell [4] - 166:9, 166:14, 166:17, 172:9</p> <p>center [16] - 35:1, 35:14, 39:4, 47:7, 49:15, 71:17, 88:17, 114:8, 179:1, 211:19, 212:4, 215:25, 217:21, 218:4, 232:25, 240:19</p> <p>Cert [1] - 250:21</p> <p>certain [10] - 26:11, 77:4, 78:5, 80:8, 97:1, 97:2, 188:2, 225:13, 227:12, 240:2</p> <p>certification [8] - 14:1, 14:14, 14:16, 14:23, 111:18, 187:8, 187:19, 189:18</p> <p>certifications [1] - 14:17</p> <p>certified [3] - 13:23, 186:18, 187:20</p> <p>certify [2] - 250:5, 250:12</p> <p>CFI [1] - 189:18</p> <p>chain [11] - 66:25, 74:19, 74:23, 169:8, 169:16, 170:24, 171:2, 206:19, 206:23, 206:24, 207:25</p> <p>chain-of-command [1] - 170:24</p> <p>chair [6] - 30:6, 37:13, 37:15, 75:12, 219:1,</p>	<p>219:4</p> <p>chambers [1] - 250:11</p> <p>chance [8] - 25:22, 33:23, 41:3, 57:11, 162:2, 218:14, 224:21, 246:10</p> <p>change [2] - 57:23, 149:10</p> <p>Channel [1] - 41:24</p> <p>channels [1] - 234:23</p> <p>Charbonnet [23] - 146:6, 149:9, 150:9, 150:15, 151:1, 151:24, 152:3, 152:6, 163:18, 164:2, 164:4, 170:5, 170:17, 170:25, 171:2, 171:5, 171:14, 171:19, 171:24, 180:12, 180:14, 181:8, 182:13</p> <p>charge [2] - 101:1, 117:11</p> <p>charged [1] - 82:8</p> <p>Charlie [3] - 24:6, 24:25, 45:7</p> <p>charred [5] - 126:9, 127:5, 222:24, 223:2, 223:4</p> <p>charring [1] - 232:14</p> <p>chase [5] - 82:18, 82:22, 91:11, 91:18, 94:17</p> <p>chasing [2] - 82:24, 242:25</p> <p>check [4] - 120:13, 136:24, 217:5, 217:14</p> <p>checked [3] - 115:17, 119:9, 119:10</p> <p>chemical [1] - 215:13</p> <p>chemistry [1] - 74:8</p> <p>Chief [1] - 138:22</p> <p>chief [16] - 20:5, 50:4, 50:5, 50:7, 75:25, 98:22, 99:2, 99:13, 115:21, 115:23, 148:14, 169:7, 169:9, 169:23, 190:13, 190:22</p> <p>child [2] - 135:20, 135:21</p> <p>child's [1] - 230:16</p> <p>children's [3] - 39:21, 193:19, 211:23</p> <p>chose [1] - 157:2</p> <p>Christmas [3] - 166:23, 212:14, 216:22</p>
--	---	---	---	--

Church ⁽¹⁾ - 67:7 church ⁽⁴⁾ - 115:14, 152:10, 152:15, 171:16 church's ⁽¹⁾ - 67:6 CID ⁽³⁾ - 145:23, 145:24, 185:10 circle ⁽¹⁾ - 233:16 circuit ⁽¹⁾ - 195:21 circumstances ⁽¹⁾ - 162:2 cities ⁽⁶⁾ - 96:18, 97:2, 112:16, 112:21, 114:12, 114:15 city ⁽¹⁷⁾ - 20:21, 45:24, 46:16, 71:3, 71:9, 71:14, 71:16, 97:2, 112:7, 113:1, 113:8, 113:20, 113:25, 114:2, 114:3, 114:5, 147:24 City ⁽¹²⁾ - 14:8, 15:7, 19:19, 20:3, 59:11, 59:14, 59:22, 71:3, 144:7, 144:9, 166:3 civilian ⁽¹⁾ - 178:22 clarify ⁽¹⁾ - 86:18 Class ⁽¹⁾ - 68:18 class ⁽¹⁾ - 187:23 clean ⁽¹³⁾ - 77:7, 77:20, 87:6, 218:19, 220:20, 220:24, 222:22, 223:2, 223:5, 223:10, 226:20, 229:1, 232:2 clear ⁽¹⁰⁾ - 20:18, 84:10, 106:8, 120:10, 123:9, 123:10, 227:3, 228:12, 242:11, 242:22 cleared ⁽³⁾ - 87:11, 92:18, 151:2 clearly ⁽¹⁾ - 222:25 clerk ⁽¹⁾ - 160:7 Cleveland ⁽¹⁸⁾ - 12:20, 12:21, 12:23, 13:9, 13:11, 51:7, 59:6, 68:16, 75:22, 76:2, 76:6, 115:22, 120:8, 120:19, 120:21, 125:6, 136:25, 138:21 CLEVELAND ⁽¹⁾ - 13:4 client ⁽¹⁾ - 207:15 clockwise ⁽¹⁾ - 21:18 close ⁽⁶⁾ - 23:5, 63:20, 166:15, 214:6, 220:25, 226:7	close-up ⁽²⁾ - 220:25, 226:7 closed ⁽³⁾ - 24:9, 193:23, 216:12 closer ⁽⁵⁾ - 20:12, 20:14, 65:13, 147:14, 225:3 closest ⁽²⁾ - 71:13, 72:1 closet ⁽²⁵⁾ - 83:15, 83:16, 83:18, 83:19, 83:25, 84:8, 85:2, 85:3, 85:7, 85:9, 87:13, 87:14, 88:7, 88:12, 90:8, 102:21, 104:2, 104:3, 104:7, 233:2, 236:2, 236:4, 236:10, 236:13 closets ⁽¹⁾ - 48:17 clothes ⁽²⁾ - 162:17, 219:3 clothing ⁽⁵⁾ - 18:17, 66:5, 162:18, 162:22, 245:19 clumps ⁽¹⁾ - 127:6 clutter ⁽¹⁾ - 126:22 cluttered ⁽¹⁾ - 230:25 Code ⁽³⁾ - 181:25, 235:5, 248:21 coded ⁽¹⁾ - 54:15 codes ⁽¹⁾ - 26:13 coding ⁽¹⁾ - 26:14 cold ⁽²⁾ - 108:14, 108:20 collapsed ⁽²⁾ - 195:4, 222:20 collect ⁽³⁾ - 206:24, 247:5, 247:9 collected ⁽³⁾ - 215:11, 246:21, 247:3 collectively ⁽¹⁾ - 239:11 College ⁽¹⁾ - 145:3 college ⁽²⁾ - 185:3, 185:14 color ⁽¹⁴⁾ - 25:21, 26:13, 26:14, 54:15, 54:19, 57:18, 57:23, 57:25, 122:3, 122:6, 128:22, 153:15, 162:18, 220:14 color-coded ⁽¹⁾ - 54:15 colored ⁽⁴⁾ - 57:5, 57:9, 128:19, 128:20 colors ⁽²⁾ - 54:10, 102:22 column ⁽²⁾ - 19:5, 20:13 combative ⁽³⁾ - 75:18,	75:22, 75:24 combination ⁽¹⁾ - 159:7 combustible ⁽⁵⁾ - 218:5, 220:18, 236:14, 237:4 combustibles ⁽⁶⁾ - 214:17, 215:14, 216:8, 220:8, 220:9, 227:8 comfortable ⁽³⁾ - 120:11, 176:18, 214:21 coming ⁽¹⁷⁾ - 20:15, 21:3, 21:16, 22:4, 61:2, 65:6, 83:11, 89:6, 98:1, 98:10, 109:1, 114:18, 116:22, 149:22, 210:20, 229:2, 244:25 command ⁽¹⁶⁾ - 21:19, 50:3, 50:6, 52:2, 75:15, 75:16, 75:18, 75:21, 75:23, 100:22, 115:19, 169:8, 169:11, 169:16, 170:24 commander ⁽¹⁾ - 145:22 Commission ⁽¹⁾ - 13:18 commission ⁽⁴⁾ - 145:6, 145:8, 145:11, 145:16 commit ⁽¹⁾ - 113:8 common ⁽⁵⁾ - 38:11, 68:24, 129:9, 220:15, 236:14 commonly ⁽¹⁾ - 73:24 commonplace ⁽¹⁾ - 36:7 communicate ⁽²⁾ - 21:15, 242:4 communicated ⁽²⁾ - 98:23, 242:18 communicating ⁽¹⁾ - 176:19 communication ⁽¹¹⁾ - 76:3, 84:14, 172:3, 242:5, 242:11, 242:19, 242:20, 242:22, 243:2, 243:5, 244:21 Communications ⁽¹⁾ - 151:23 communications ⁽²⁾ - 158:12, 160:7 community ⁽¹⁾ - 16:7 companies ⁽¹⁾ - 58:17	company ⁽⁸⁾ - 13:12, 17:16, 20:20, 25:4, 30:15, 49:1, 95:16, 117:11 comparable ⁽²⁾ - 195:6, 195:10 compared ⁽¹⁾ - 221:18 compartment ⁽¹⁾ - 73:6 compartments ⁽¹⁾ - 68:23 compatible ⁽¹⁾ - 76:3 compilation ⁽¹⁾ - 55:20 complete ⁽³⁾ - 58:12, 58:18, 96:25 completed ⁽⁶⁾ - 44:2, 58:9, 141:8, 141:15, 167:7, 168:13 completely ⁽⁹⁾ - 30:24, 81:23, 126:6, 126:23, 140:16, 141:11, 239:24 completing ⁽¹⁾ - 141:18 complies ⁽¹⁾ - 134:14 comply ⁽¹⁾ - 181:24 components ⁽¹⁾ - 36:14 composite ⁽⁴⁾ - 52:12, 52:14, 53:6, 53:20 compressed ⁽¹⁾ - 23:18 comprises ⁽¹⁾ - 19:15 computer ⁽¹⁾ - 215:24 concentrating ⁽²⁾ - 98:7, 100:20 concern ⁽²⁾ - 101:20, 101:25 concerned ⁽¹⁾ - 170:14 concerning ⁽¹⁾ - 203:6 concerns ⁽¹⁾ - 203:15 conclusion ⁽¹⁾ - 219:13 conclusions ⁽³⁾ - 25:6, 218:3, 218:17 concrete ⁽¹⁾ - 88:23 condition ⁽⁷⁾ - 78:25, 121:11, 155:19, 217:25, 218:18, 218:19, 221:17 conditions ⁽¹⁴⁾ - 30:22, 73:14, 73:16, 76:19, 78:13, 82:20, 92:20, 105:20, 108:10, 108:12, 109:5, 116:19, 123:5, 231:19 conduct ⁽⁴⁾ - 50:9,	124:16, 125:23, 133:11 conducted ⁽⁵⁾ - 55:1, 133:18, 182:13, 204:8, 207:9 conducting ⁽²⁾ - 173:6, 173:12 cones ⁽⁵⁾ - 35:16, 35:17, 35:24, 80:25, 81:2 CONFERENCE ⁽⁴⁾ - 41:22, 52:9, 85:25, 199:2 confession ⁽¹⁾ - 207:5 confinement ⁽¹⁾ - 214:4 confirm ⁽²⁾ - 51:23, 120:23 confirmed ⁽¹⁾ - 52:1 conjunction ⁽¹⁾ - 140:4 connected ⁽¹⁾ - 231:4 connotations ⁽¹⁾ - 140:13 consider ⁽¹⁾ - 227:6 considerable ⁽³⁾ - 193:16, 226:21, 242:1 considerate ⁽¹⁾ - 213:25 consideration ⁽¹⁾ - 20:24 considered ⁽¹⁾ - 55:4 consist ⁽²⁾ - 119:5, 127:3 consistent ⁽⁷⁾ - 78:24, 108:16, 122:11, 127:11, 231:23, 246:14, 247:9 Constitutional ⁽¹⁾ - 182:2 consume ⁽¹⁾ - 234:13 consumed ⁽¹⁸⁾ - 23:12, 126:23, 195:3, 212:21, 219:1, 219:2, 219:5, 225:14, 225:18, 227:11, 233:5, 236:5, 236:15, 237:9, 237:16, 239:24, 245:1, 246:6 consumption ⁽¹⁾ - 234:12 Cont'd ⁽²⁾ - 133:25, 210:16 contact ⁽⁷⁾ - 84:14, 150:14, 152:3, 154:4, 169:20, 183:1, 183:2 contacted ⁽⁶⁾ - 39:9,
--	---	---	---	---

148:14, 151:23, 152:6, 153:8, 169:23 contacting [1] - 171:24 contained [9] - 23:16, 27:9, 54:20, 55:3, 105:16, 167:5, 198:8, 217:9, 243:13 container [2] - 102:1, 183:21 contains [3] - 52:12, 52:13, 250:6 context [1] - 225:6 continually [1] - 145:8 continuation [1] - 46:5 continue [6] - 125:15, 133:6, 136:3, 171:4, 213:4, 213:7 continued [2] - 215:8, 231:6 continues [2] - 45:10, 165:18 continuing [6] - 50:25, 60:1, 74:25, 193:1, 209:2, 214:13 contract [4] - 71:21, 71:22, 96:17, 97:6 control [13] - 46:15, 46:17, 46:19, 64:11, 64:19, 75:20, 118:12, 118:15, 149:16, 150:23, 151:9, 190:12, 233:19 controlled [3] - 159:9, 229:9, 229:10 conversation [8] - 49:5, 49:20, 115:24, 120:6, 150:25, 156:2, 160:25, 161:2 conversing [1] - 172:16 converted [4] - 116:18, 194:6, 243:4, 243:7 cool [2] - 151:11, 214:9 cooler [2] - 217:20 coordinate [1] - 54:20 copper [1] - 36:12 copy [1] - 55:16 corner [65] - 21:25, 22:6, 29:17, 30:10, 30:18, 32:7, 32:18, 35:23, 37:5, 38:19, 41:21, 47:2, 49:12, 49:23, 50:18, 51:8, 53:7, 60:24, 78:18, 80:19, 81:22, 83:24,	90:11, 91:8, 92:8, 92:21, 93:9, 103:7, 103:23, 105:16, 107:13, 116:7, 116:12, 120:15, 122:9, 122:14, 122:15, 123:7, 126:17, 129:2, 131:13, 135:2, 135:9, 137:11, 137:22, 138:16, 142:7, 193:14, 193:15, 195:7, 219:17, 232:20, 232:23, 236:19, 236:23, 237:8, 238:5, 241:4, 241:23, 244:18 correct [198] - 16:16, 16:19, 18:9, 18:10, 20:1, 25:24, 25:25, 29:6, 29:7, 29:13, 29:21, 33:23, 34:6, 34:22, 36:5, 36:21, 37:7, 41:4, 45:12, 45:13, 48:5, 50:14, 50:15, 53:17, 54:17, 56:16, 57:7, 58:2, 58:3, 58:16, 59:7, 60:2, 60:3, 60:6, 60:17, 61:2, 61:7, 61:8, 61:12, 61:18, 62:1, 62:14, 62:15, 62:25, 63:5, 63:14, 75:13, 75:14, 79:24, 85:4, 87:7, 87:8, 87:18, 88:1, 88:21, 88:22, 88:25, 92:4, 93:6, 93:7, 95:14, 95:15, 96:10, 96:11, 97:11, 97:18, 101:6, 103:24, 104:10, 105:22, 106:6, 106:11, 107:10, 112:5, 112:6, 113:6, 114:16, 117:14, 117:15, 117:24, 119:16, 121:7, 122:17, 128:20, 128:21, 128:24, 128:25, 129:17, 129:18, 130:5, 131:10, 135:3, 138:17, 139:3, 139:21, 141:8, 141:19, 141:20, 142:12, 142:16, 146:17, 149:13, 155:22, 155:25, 156:1, 156:25, 157:20, 159:14,	160:13, 160:16, 162:23, 163:25, 165:10, 167:6, 167:24, 168:11, 169:13, 169:21, 169:23, 169:24, 171:1, 171:6, 171:7, 171:12, 173:6, 173:7, 173:8, 173:15, 173:20, 173:23, 175:1, 175:4, 175:7, 175:16, 175:17, 175:23, 176:4, 176:8, 176:24, 177:12, 177:20, 178:12, 179:7, 179:18, 180:17, 180:21, 181:14, 181:15, 181:18, 181:19, 182:5, 182:6, 182:11, 186:4, 187:11, 187:17, 187:18, 188:13, 188:14, 192:1, 192:16, 195:23, 197:4, 197:9, 197:13, 197:14, 201:17, 203:18, 203:21, 205:4, 205:9, 208:1, 214:24, 215:16, 219:8, 219:9, 219:25, 222:11, 222:12, 223:18, 223:21, 224:11, 224:18, 224:19, 226:9, 229:22, 229:24, 235:10, 237:20, 238:1, 239:25, 243:10, 244:11, 244:12, 246:25, 247:1, 249:10, 250:6 correctly [3] - 137:13, 139:18, 250:13 correspond [2] - 26:14, 58:1 corresponding [5] - 57:9, 57:19, 122:8, 122:18, 122:19 corroborates [1] - 207:4 counsel [1] - 250:8 Counsel [4] - 54:1, 123:18, 131:20, 198:17 count [2] - 129:12, 129:15 counting [1] - 134:7	country [1] - 189:13 County [10] - 18:23, 26:4, 46:2, 65:24, 111:9, 111:17, 185:12, 189:3, 190:21, 250:5 COUNTY [1] - 250:2 county [3] - 111:8, 112:13, 112:19 countywide [1] - 96:8 couple [5] - 51:16, 53:3, 54:23, 125:8, 140:7 course [1] - 169:22 Court [13] - 34:13, 53:2, 55:1, 133:11, 133:17, 204:8, 206:20, 207:9, 208:6, 250:3, 250:4, 250:22, 250:22 court [8] - 12:3, 43:14, 143:11, 184:3, 189:21, 200:20, 209:25, 250:11 COURT [178] - 12:4, 12:8, 12:14, 12:17, 12:21, 12:23, 13:1, 25:17, 26:22, 27:1, 27:23, 27:25, 28:4, 28:7, 28:10, 31:19, 31:23, 34:13, 34:19, 35:2, 40:19, 41:12, 41:16, 41:21, 42:7, 42:15, 42:19, 42:22, 43:2, 43:4, 43:6, 43:7, 43:8, 43:12, 43:15, 43:20, 43:24, 44:6, 44:10, 44:16, 44:20, 44:23, 44:25, 47:8, 47:20, 50:23, 51:3, 51:5, 52:8, 53:3, 53:6, 53:12, 53:16, 53:19, 54:1, 54:8, 54:13, 54:19, 55:8, 56:1, 56:5, 56:9, 56:10, 56:11, 56:15, 56:19, 56:24, 59:3, 68:13, 69:14, 69:19, 70:2, 70:5, 70:7, 70:9, 70:11, 84:17, 85:20, 85:22, 86:1, 86:7, 86:20, 86:21, 86:23, 89:14, 89:17, 89:22, 92:13, 93:2, 95:6, 95:21, 106:17, 108:7, 109:24, 110:2, 110:8, 110:12, 110:14, 110:16, 110:19, 121:18,	123:24, 124:2, 124:9, 126:15, 128:12, 131:25, 132:2, 132:20, 132:25, 133:4, 133:6, 133:13, 133:24, 134:11, 136:2, 136:6, 142:19, 142:21, 142:24, 143:6, 143:8, 143:12, 143:15, 143:19, 143:22, 153:21, 165:17, 168:24, 175:20, 183:6, 183:9, 183:13, 183:18, 183:23, 184:4, 184:7, 184:10, 184:14, 184:17, 196:15, 198:23, 199:1, 199:3, 199:13, 199:17, 199:23, 200:2, 200:5, 200:6, 200:7, 200:11, 200:16, 200:21, 200:25, 203:3, 203:11, 203:14, 203:24, 204:4, 204:8, 204:14, 206:13, 207:6, 207:19, 208:9, 208:13, 208:19, 209:1, 209:8, 209:17, 209:23, 210:1, 210:4, 210:6, 210:12, 210:15, 249:14 Court's [3] - 34:25, 212:3, 249:16 courtroom [8] - 12:9, 12:22, 70:8, 110:15, 143:18, 153:9, 153:13, 187:5 cover [1] - 119:25 coverage [2] - 113:25, 114:3 covered [5] - 130:19, 208:23, 211:1, 222:15, 222:25 coverings [1] - 237:15 crawl [1] - 238:8 crawled [1] - 91:2 crawling [1] - 94:3 create [2] - 23:11, 188:9 creates [1] - 228:22 creating [2] - 227:20, 229:18 crew [4] - 38:10,
---	--	--	---	---

51:25, 68:5, 97:9 crime [4] - 55:21, 176:6, 191:15, 201:10 criminal [1] - 185:6 Criminal [3] - 145:25, 170:21, 181:25 cross [3] - 59:3, 95:21, 168:24 CROSS [4] - 59:4, 95:22, 136:8, 169:1 cross-examination [3] - 59:3, 95:21, 168:24 CROSS- EXAMINATION [4] - 59:4, 95:22, 136:8, 169:1 CSR [1] - 250:21 cummings [1] - 169:2 CUMMINGS [70] - 12:7, 12:11, 34:11, 41:17, 44:5, 44:8, 85:16, 85:21, 85:23, 86:3, 86:8, 86:15, 89:15, 92:11, 95:23, 106:16, 108:9, 109:22, 110:1, 123:20, 123:25, 124:6, 131:23, 132:1, 132:4, 132:17, 132:21, 133:2, 133:5, 133:7, 136:4, 136:7, 136:9, 142:18, 142:23, 165:13, 168:25, 175:19, 175:21, 183:4, 183:10, 184:6, 198:21, 198:25, 199:5, 199:18, 200:1, 200:4, 200:15, 200:24, 201:2, 201:6, 202:25, 203:7, 203:12, 203:19, 204:2, 204:7, 204:12, 204:15, 204:17, 206:1, 207:14, 208:8, 208:10, 208:18, 208:21, 209:4, 209:16, 210:3 Cummings [10] - 86:13, 86:19, 89:14, 96:1, 107:18, 136:2, 200:12, 200:25, 207:1, 208:14 cumulative [2] - 133:9, 133:16 current [1] - 144:19	curtain [1] - 234:5 curtains [1] - 73:18 custody [8] - 66:25, 68:6, 174:7, 176:3, 182:7, 206:19, 206:24, 207:25 Customs [3] - 185:16, 185:21, 186:10 cut [2] - 39:9, 77:21 Cutrer [1] - 89:10 D D.H [1] - 167:9 Dallas [3] - 185:12, 188:24, 189:1 damage [25] - 188:4, 193:16, 193:25, 195:1, 195:9, 195:10, 195:12, 195:13, 196:2, 211:25, 213:11, 213:14, 213:19, 215:10, 215:12, 226:22, 231:25, 232:8, 236:7, 244:8, 246:14, 247:14, 247:19, 247:21, 247:24 damaged [6] - 195:4, 213:18, 218:5, 219:5, 241:8, 244:6 dangerous [1] - 117:8 dangling [1] - 153:7 dark [4] - 77:9, 78:17, 192:3, 192:19 Darrell [3] - 143:17, 144:5, 167:18 DARRELL [1] - 143:25 Date [1] - 250:21 date [7] - 16:4, 166:6, 166:7, 167:7, 178:11, 180:8, 180:11 David [1] - 81:25 Davidson [1] - 225:17 day-to-day [1] - 145:22 days [2] - 58:7, 64:6 daytime [1] - 89:5 dead [1] - 81:19 deal [1] - 208:11 dealing [1] - 209:6 debris [19] - 57:13, 68:21, 73:19, 74:14, 80:13, 82:13, 90:24, 91:18, 93:23, 127:1, 127:3, 127:25, 131:5, 205:10, 205:22, 234:10,	238:18, 238:19, 246:20 deceased [4] - 148:9, 149:5, 169:18, 247:10 December [21] - 15:25, 16:3, 16:15, 16:21, 19:2, 26:3, 31:12, 72:3, 72:4, 89:7, 113:3, 113:17, 146:10, 146:19, 146:20, 164:22, 168:1, 190:1, 198:11, 246:12, 248:8 decide [3] - 71:16, 169:22, 179:20 decided [4] - 91:1, 103:12, 103:14, 172:12 decides [1] - 71:19 decision [2] - 107:15, 239:11 decorative [1] - 245:5 deeper [1] - 232:14 defect [1] - 238:6 defects [2] - 195:18, 195:19 Defendant [7] - 12:3, 43:14, 143:11, 153:20, 184:3, 200:20, 209:25 Defendant's [3] - 44:12, 45:2, 207:4 Defense [15] - 12:8, 26:18, 27:20, 31:15, 34:8, 41:11, 44:3, 52:4, 55:24, 85:14, 123:18, 131:20, 198:17, 198:20, 206:21 defensive [1] - 116:24 definite [1] - 180:6 definitely [8] - 25:2, 73:16, 74:10, 74:12, 91:18, 109:3, 183:11, 229:13 definition [1] - 19:13 deformed [1] - 216:1 degrees [5] - 80:6, 108:16, 213:9, 220:4, 228:7 demarkation [16] - 213:13, 213:24, 214:3, 214:11, 222:3, 222:4, 222:7, 222:9, 226:16, 226:18, 227:2, 227:3, 228:8, 228:10, 228:25,	248:1 demeanor [1] - 172:22 den [2] - 194:3, 211:21 dense [3] - 76:23, 77:7, 78:17 depart [1] - 182:25 department [27] - 34:4, 39:3, 46:13, 46:18, 63:10, 65:25, 136:16, 149:17, 150:2, 150:6, 150:11, 151:3, 151:17, 151:21, 152:15, 157:16, 158:11, 158:23, 159:13, 159:19, 171:22, 174:15, 174:21, 174:23, 174:25, 175:13, 216:10 Department [20] - 13:10, 31:5, 34:4, 55:23, 64:8, 64:10, 70:20, 78:9, 111:11, 144:20, 159:4, 166:1, 166:2, 168:7, 169:12, 185:9, 186:1, 186:2, 186:10, 188:12 department's [1] - 151:9 departments [2] - 16:9, 112:13 dependant [1] - 228:23 dependents [1] - 162:14 depict [4] - 86:16, 203:8, 204:25, 206:4 depicted [28] - 27:5, 45:15, 50:17, 51:9, 51:15, 54:14, 57:8, 85:3, 88:4, 89:3, 90:13, 93:9, 102:11, 104:22, 109:10, 128:16, 130:7, 130:9, 130:23, 131:1, 131:3, 132:9, 132:10, 201:10, 202:10, 203:16, 211:9, 236:13 depicting [1] - 53:14 depiction [6] - 26:1, 31:10, 33:25, 129:25, 131:16, 198:13 depictions [1] - 41:6 depicts [2] - 53:7, 86:5 deployed [1] - 97:7</
---	--	---	--

<p>difficult [2] - 80:15, 82:10</p> <p>difficulty [2] - 105:21, 176:18</p> <p>dig [3] - 66:12, 239:18, 245:9</p> <p>dig-out [2] - 239:18, 245:9</p> <p>digging [1] - 238:25</p> <p>digital [1] - 123:2</p> <p>dining [1] - 193:18</p> <p>dire [4] - 131:24, 199:13, 199:19, 201:4</p> <p>DIRE [2] - 132:3, 201:5</p> <p>DIRECT [7] - 13:6, 70:16, 110:23, 133:25, 144:2, 184:21, 210:16</p> <p>direct [12] - 36:7, 66:15, 132:5, 137:13, 170:12, 204:17, 218:5, 235:8, 235:12, 236:3, 242:6, 242:8</p> <p>directing [2] - 66:17, 125:11</p> <p>direction [2] - 90:24, 196:6</p> <p>directly [8] - 62:3, 91:23, 143:1, 157:18, 172:3, 172:9, 220:9, 232:24</p> <p>discolored [1] - 223:9</p> <p>discover [1] - 51:11</p> <p>discovered [6] - 50:1, 106:5, 120:17, 126:3, 205:9, 206:5</p> <p>discuss [9] - 69:21, 110:3, 110:5, 142:25, 143:3, 183:14, 199:9, 248:16, 249:16</p> <p>discussed [4] - 12:13, 218:11, 222:3, 248:15</p> <p>discussions [1] - 67:16</p> <p>dismount [1] - 22:16</p> <p>dismounted [2] - 67:19, 79:16</p> <p>dispatch [8] - 17:3, 17:7, 39:4, 71:23, 97:7, 172:8, 172:10</p> <p>dispatched [1] - 72:7</p> <p>dispatcher [2] - 158:13, 175:6</p> <p>dispatchers [1] - 96:23</p>	<p>dispatches [1] - 72:1</p> <p>disposal [1] - 188:16</p> <p>distance [5] - 19:4, 40:23, 45:6, 45:11, 78:21</p> <p>distinct [5] - 222:5, 234:19, 242:23, 242:24, 244:23</p> <p>distinction [1] - 54:9</p> <p>distinctly [1] - 105:2</p> <p>District [3] - 185:12, 250:4, 250:22</p> <p>district [1] - 99:24</p> <p>dive [1] - 89:2</p> <p>Division [3] - 145:25, 170:22, 188:24</p> <p>DNA [4] - 206:24, 247:7, 247:10, 247:11</p> <p>DOB [1] - 166:6</p> <p>document [2] - 165:14, 167:23</p> <p>documents [1] - 200:13</p> <p>dog [5] - 39:24, 39:25, 46:9, 46:10, 46:13</p> <p>doll [2] - 124:22, 124:24</p> <p>done [14] - 48:18, 48:20, 50:11, 50:13, 52:19, 63:10, 65:4, 95:9, 96:21, 102:17, 133:4, 141:11, 189:14, 206:16</p> <p>donned [1] - 80:12</p> <p>door [77] - 22:1, 22:5, 22:6, 23:22, 23:23, 24:12, 24:25, 28:21, 28:23, 30:3, 30:6, 30:7, 30:25, 32:14, 33:11, 37:19, 40:7, 61:4, 61:7, 61:10, 61:16, 62:7, 62:9, 62:14, 62:16, 63:1, 67:12, 67:17, 67:21, 67:23, 76:8, 76:20, 79:3, 79:5, 81:11, 81:12, 81:14, 100:10, 103:22, 107:23, 109:15, 116:20, 116:21, 119:3, 125:6, 125:10, 138:8, 138:25, 153:6, 158:25, 159:1, 159:3, 159:7, 159:8, 159:10, 174:22, 178:18, 193:22, 193:23, 194:8, 194:20, 211:18,</p>	<p>214:13, 215:3, 216:10, 216:21, 216:24, 226:13, 228:9, 229:5, 229:16, 232:4, 233:3, 236:5</p> <p>doorknob [2] - 101:12, 216:9</p> <p>doors [4] - 24:9, 79:20, 101:8, 149:23</p> <p>doorway [17] - 29:8, 29:18, 30:1, 30:10, 30:11, 30:21, 30:23, 32:9, 32:13, 78:21, 116:14, 116:15, 215:17, 217:22, 222:1, 240:16, 241:14</p> <p>double [4] - 81:21, 88:18, 224:6, 224:7</p> <p>doubt [3] - 88:10, 207:22, 207:23</p> <p>dove [2] - 89:7, 89:25</p> <p>down [78] - 17:15, 24:4, 25:23, 28:6, 28:16, 32:3, 33:13, 35:1, 35:6, 47:7, 48:10, 61:19, 63:10, 64:15, 65:5, 68:21, 70:3, 73:9, 82:24, 83:8, 83:11, 83:12, 90:4, 90:5, 91:11, 91:13, 91:22, 93:14, 93:17, 94:11, 94:13, 97:17, 98:21, 100:5, 110:9, 117:18, 117:19, 119:1, 121:9, 125:25, 126:8, 128:6, 134:10, 134:13, 134:15, 134:20, 135:5, 138:3, 138:7, 138:9, 138:20, 140:3, 148:24, 155:4, 155:23, 156:22, 157:10, 157:15, 157:21, 159:24, 160:3, 160:4, 161:17, 166:19, 166:24, 174:9, 177:24, 183:16, 212:21, 234:7, 234:15, 236:18, 237:18, 240:2, 241:24, 246:6, 248:5, 248:10</p> <p>draft [1] - 229:13</p> <p>dragging [1] - 223:14</p> <p>draw [2] - 25:6, 218:17</p> <p>drawing [4] - 27:9,</p>	<p>102:16, 227:6, 229:18</p> <p>dressed [2] - 162:15, 163:7</p> <p>dresser [5] - 244:16, 244:19, 244:20, 245:1, 245:3</p> <p>drink [2] - 35:10, 154:25</p> <p>driver [6] - 17:20, 17:21, 19:6, 19:8, 21:7, 81:25</p> <p>driver's [1] - 166:4</p> <p>driveway [2] - 29:20, 29:21</p> <p>driving [1] - 22:3</p> <p>drizzly [1] - 108:14</p> <p>drop [6] - 93:14, 115:4, 232:5, 234:7, 234:15, 240:2</p> <p>drop-down [3] - 93:14, 234:7, 240:2</p> <p>dropped [2] - 36:1, 237:11</p> <p>drove [5] - 157:6, 157:21, 166:19, 166:20, 166:22</p> <p>drug [2] - 25:13, 185:17</p> <p>dryer [1] - 224:2</p> <p>due [1] - 204:15</p> <p>dug [1] - 231:7</p> <p>duly [5] - 13:5, 70:15, 110:22, 144:1, 184:20</p> <p>uplicative [1] - 52:21</p> <p>during [31] - 16:25, 25:22, 31:11, 32:16, 34:3, 40:13, 46:25, 48:9, 50:16, 66:1, 66:7, 80:2, 127:19, 129:4, 132:18, 142:2, 146:22, 185:8, 187:7, 192:21, 193:24, 194:22, 202:1, 203:17, 216:12, 222:14, 222:23, 223:17, 230:12, 243:12</p> <p>duties [6] - 71:4, 72:16, 137:15, 138:5, 145:21, 216:14</p> <p>duty [3] - 20:5, 113:13, 146:18</p> <p>dynamics [3] - 188:2, 188:7, 188:10</p>	<p>E</p> <p>early [10] - 16:20, 26:2, 32:16, 72:4, 113:17, 146:18, 146:19, 190:1, 216:12, 234:15</p> <p>easier [2] - 26:15, 66:7</p> <p>east [10] - 29:9, 109:2, 214:12, 215:2, 215:5, 215:7, 215:8, 215:11, 233:8</p> <p>East [2] - 71:11</p> <p>east/west [1] - 157:17</p> <p>easy [2] - 21:15, 82:7</p> <p>Eddie [1] - 89:10</p> <p>education [3] - 13:14, 13:15, 60:1</p> <p>educational [2] - 14:4, 59:17</p> <p>effect [4] - 18:8, 55:2, 229:18, 232:3</p> <p>effective [1] - 94:24</p> <p>effects [2] - 215:6, 215:9</p> <p>effort [1] - 101:9</p> <p>efforts [8] - 31:12, 32:16, 33:10, 63:11, 65:17, 104:21, 105:24, 139:7</p> <p>eight [1] - 167:2</p> <p>either [9] - 25:5, 88:20, 140:8, 189:16, 196:5, 204:25, 209:18, 229:9, 249:2</p> <p>electric [2] - 196:4, 235:22</p> <p>electrical [6] - 221:5, 221:9, 221:11, 221:13, 221:16, 222:9</p> <p>electricity [1] - 36:22</p> <p>elements [3] - 19:16, 51:22, 120:3</p> <p>elicit [1] - 176:5</p> <p>emanate [1] - 32:17</p> <p>emanating [2] - 29:14, 37:21</p> <p>embers [1] - 66:4</p> <p>emergency [1] - 25:2</p> <p>emission [1] - 221:15</p> <p>emitting [5] - 47:13, 60:19, 78:20, 98:6, 100:13</p> <p>emotion [1] - 173:11</p> <p>emotionally [1] - 173:5</p> <p>employed [3] - 144:6, 144:8, 144:11</p>
--	--	--	---	---

<p>empty [1] - 177:2</p> <p>EMS [1] - 59:15</p> <p>EMT [5] - 14:23, 15:2, 15:4, 111:22, 112:4</p> <p>EMTs [1] - 18:5</p> <p>en [3] - 17:4, 149:1, 149:8</p> <p>enable [1] - 179:15</p> <p>enclosure [2] - 187:2, 187:24</p> <p>Encore [1] - 39:5</p> <p>end [13] - 25:5, 60:20, 60:25, 61:1, 68:20, 81:19, 83:9, 106:10, 117:13, 215:2, 215:6, 242:21, 243:6</p> <p>ended [8] - 83:14, 88:12, 90:9, 109:13, 109:14, 109:18, 124:20, 164:3</p> <p>ends [5] - 16:11, 23:24, 60:20, 60:22, 103:6</p> <p>energy [2] - 68:23, 74:16</p> <p>enforcement [2] - 144:16, 186:23</p> <p>engaged [1] - 137:25</p> <p>engine [12] - 15:16, 15:20, 15:22, 15:23, 15:24, 16:2, 17:16, 30:15, 60:5, 113:11, 115:4</p> <p>engineer [6] - 17:20, 17:22, 21:7, 25:13, 97:15, 97:20</p> <p>engines [3] - 15:8, 15:11, 19:22</p> <p>engulfed [2] - 62:10, 62:23</p> <p>ensure [1] - 208:2</p> <p>enter [4] - 107:13, 159:3, 164:10, 208:11</p> <p>entered [8] - 127:12, 191:21, 192:2, 193:18, 194:2, 207:16, 207:20, 229:21</p> <p>enters [6] - 12:22, 70:8, 110:15, 143:18, 207:18, 211:19</p> <p>entire [3] - 76:16, 106:13, 217:13</p> <p>entitled [1] - 175:21</p> <p>entry [11] - 30:1, 30:2, 33:11, 33:14, 64:18, 64:20, 64:23, 66:2, 103:6, 151:2, 216:11</p>	<p>equipment [12] - 17:13, 19:16, 39:21, 68:6, 68:17, 71:18, 104:9, 108:19, 113:7, 162:4, 179:15, 224:1</p> <p>equipped [1] - 117:22</p> <p>Eric [1] - 146:4</p> <p>escape [1] - 77:23</p> <p>especially [3] - 82:10, 134:16, 229:15</p> <p>essentially [4] - 52:23, 100:7, 106:9, 142:13</p> <p>establish [1] - 207:23</p> <p>established [1] - 71:22</p> <p>evaluation [1] - 216:14</p> <p>evening [5] - 146:19, 147:8, 151:11, 152:24, 192:18</p> <p>events [1] - 198:14</p> <p>eventually [2] - 149:18, 228:18</p> <p>Everman [2] - 112:10, 114:4</p> <p>everywhere [1] - 33:19</p> <p>evidence [16] - 193:17, 194:12, 196:3, 202:16, 206:4, 208:3, 214:15, 218:20, 221:21, 230:4, 236:11, 238:22, 238:24, 241:24, 245:11, 250:7</p> <p>evidentiary [2] - 55:2, 247:3</p> <p>exact [1] - 19:1</p> <p>exactly [4] - 24:17, 91:17, 152:14, 182:21</p> <p>exam [2] - 211:8, 221:9</p> <p>examination [9] - 59:3, 95:21, 168:24, 191:13, 193:23, 204:9, 204:10, 208:5, 236:1</p> <p>EXAMINATION [16] - 13:6, 59:4, 68:14, 70:16, 95:22, 106:19, 108:8, 110:23, 132:3, 133:25, 136:8, 144:2, 169:1, 184:21, 201:5, 210:16</p> <p>examine [2] - 224:21,</p>	<p>230:1</p> <p>examined [5] - 47:17, 221:13, 221:15, 241:24, 244:20</p> <p>Examiner [2] - 55:23, 244:11</p> <p>Examiner's [4] - 206:23, 207:3, 239:17, 245:7</p> <p>example [1] - 223:3</p> <p>exams [1] - 13:13</p> <p>except [5] - 110:4, 142:25, 177:21, 177:23, 183:15</p> <p>exception [1] - 195:24</p> <p>excluded [2] - 42:16, 44:11</p> <p>excuse [10] - 16:5, 22:3, 83:11, 110:3, 133:2, 183:25, 200:9, 227:3, 237:23, 238:18</p> <p>excused [5] - 69:17, 70:3, 109:24, 142:22, 183:8</p> <p>exhibit [18] - 28:9, 28:12, 28:13, 44:4, 49:13, 52:11, 52:12, 54:7, 54:11, 54:14, 122:1, 128:24, 129:2, 134:3, 196:20, 211:14, 213:24, 216:9</p> <p>Exhibit [85] - 25:20, 26:22, 26:23, 27:4, 27:5, 27:7, 27:23, 28:1, 31:20, 33:1, 34:14, 34:15, 34:16, 34:20, 35:21, 37:8, 37:20, 39:1, 40:4, 41:2, 41:18, 42:21, 44:10, 44:19, 45:16, 46:4, 47:25, 54:14, 54:21, 56:19, 56:21, 57:2, 58:2, 76:5, 84:19, 85:14, 86:2, 88:15, 89:3, 89:19, 89:24, 90:6, 93:4, 102:13, 121:21, 121:24, 122:12, 123:1, 124:5, 125:12, 128:15, 130:6, 132:6, 132:24, 133:8, 133:21, 164:18, 165:9, 165:18, 165:20, 165:22, 181:4, 193:5, 201:11, 204:18, 205:2, 206:2,</p>	<p>210:10, 210:19, 212:13, 214:24, 214:25, 215:1, 215:14, 217:15, 226:25, 228:8, 231:11, 231:24, 232:12, 232:17, 232:21, 236:21, 246:17</p> <p>Exhibits [7] - 45:1, 85:18, 89:17, 121:22, 132:21, 133:13, 210:7</p> <p>exhibits [28] - 28:11, 34:12, 34:14, 41:13, 48:1, 52:11, 52:20, 55:3, 56:12, 56:13, 57:12, 57:17, 57:20, 84:20, 85:20, 85:22, 132:20, 133:20, 199:3, 203:6, 204:5, 204:9, 206:25, 208:11, 208:16, 213:22, 246:12, 250:14</p> <p>exit [2] - 91:5, 103:15</p> <p>exited [2] - 83:23</p> <p>exiting [1] - 92:10</p> <p>Exp [1] - 250:21</p> <p>expect [13] - 126:23, 218:23, 218:25, 219:1, 219:2, 219:4, 227:11, 234:4, 234:6, 234:7, 234:8, 234:16, 236:14</p> <p>expected [2] - 126:25, 247:23</p> <p>expecting [1] - 127:4</p> <p>experience [6] - 24:8, 24:14, 73:13, 102:9, 104:1, 247:20</p> <p>experienced [1] - 104:8</p> <p>expert [2] - 189:19, 189:24</p> <p>expertise [1] - 190:18</p> <p>explain [8] - 37:23, 74:7, 170:6, 170:20, 175:8, 198:9, 215:25, 234:17</p> <p>explanation [1] - 207:12</p> <p>explode [1] - 36:4</p> <p>explosive [1] - 188:18</p> <p>Explosive [1] - 188:25</p> <p>explosives [4] - 186:13, 188:13, 188:15, 189:14</p> <p>exposed [1] - 233:11</p> <p>extend [1] - 40:23</p>	<p>extended [3] - 192:14, 192:17, 213:14</p> <p>extension [3] - 217:5, 217:14, 243:1</p> <p>exterior [11] - 91:9, 91:10, 103:19, 107:17, 191:10, 191:13, 195:13, 228:19, 237:11, 237:14, 237:22</p> <p>external [1] - 195:21</p> <p>extinguish [1] - 90:22</p> <p>extinguished [2] - 75:8, 140:12</p> <p>extra [1] - 115:11</p> <p>extracted [1] - 90:1</p> <p>extreme [1] - 77:3</p> <p>extremely [1] - 76:23</p> <p>extrication [1] - 79:19</p>
F				
<p>face [6] - 76:2, 84:10, 172:5, 172:6, 192:8</p> <p>face-to-face [1] - 76:2</p> <p>facility [1] - 175:12</p> <p>facing [2] - 194:4, 194:13</p> <p>fact [9] - 31:7, 37:13, 41:1, 50:13, 57:15, 187:16, 192:17, 207:15, 222:22</p> <p>factor [2] - 100:8, 207:12</p> <p>facts [1] - 167:5</p> <p>fail [3] - 36:9, 36:15, 235:11</p> <p>failed [4] - 195:8, 234:22, 235:2, 237:12</p> <p>failure [1] - 106:24</p> <p>fair [10] - 26:1, 31:10, 33:25, 103:3, 129:25, 131:15, 139:8, 173:12, 173:13, 198:13</p> <p>fairly [6] - 86:5, 147:1, 211:25, 220:3, 226:22, 228:12</p> <p>fairness [1] - 177:9</p> <p>fall [1] - 241:24</p> <p>falling [1] - 107:3</p> <p>falls [2] - 208:22, 240:6</p> <p>familiar [2] - 20:22, 248:21</p> <p>far [16] - 20:17, 45:5, 59:18, 64:15, 100:21, 102:9, 124:20, 150:4,</p>				

154:1, 157:9, 169:16, 170:14, 173:11, 191:21, 193:25, 195:12 fashion [2] - 231:16 fatalities [1] - 189:9 fed [1] - 82:2 federal [5] - 185:19, 185:20, 186:23, 189:24, 190:17 Feds [1] - 190:12 feeding [1] - 89:10 feet [9] - 117:20, 118:24, 138:11, 153:7, 154:3, 159:2, 248:5, 248:7 fell [5] - 121:13, 174:11, 174:12, 220:19, 220:23 fellow [1] - 21:15 felt [3] - 138:9, 173:1, 173:5 female [3] - 243:14, 243:17, 245:15 fence [1] - 45:9 FERNANDEZ [1] - 53:22 Fernandez [1] - 53:24 few [3] - 96:1, 101:6, 128:2 field [3] - 38:13, 187:11, 189:20 fields [1] - 189:24 fight [2] - 64:24, 137:8 fighting [2] - 14:14, 138:24 figure [3] - 88:13, 115:3, 248:17 figured [3] - 83:20, 83:22, 85:9 file [1] - 96:5 fill [3] - 161:11, 176:11, 177:17 filled [2] - 177:5, 181:17 filling [1] - 182:4 final [2] - 52:20, 52:24 finality [1] - 140:15 finally [3] - 142:21, 209:4, 247:25 fine [4] - 42:19, 43:1, 43:6, 211:16 finished [2] - 185:14, 199:6 Fire [17] - 13:10, 13:18, 34:4, 55:22, 64:8, 64:10, 65:24, 70:20, 111:2, 111:11, 187:1, 187:3, 187:22,	189:4, 190:3, 190:21, 235:5 fire [317] - 13:12, 13:16, 13:21, 14:5, 14:9, 14:12, 14:14, 15:6, 16:7, 16:21, 16:23, 17:15, 18:23, 19:3, 19:11, 19:18, 20:5, 20:17, 20:20, 21:8, 21:14, 21:24, 21:25, 22:4, 23:11, 24:14, 25:4, 25:5, 26:2, 27:13, 29:14, 29:16, 30:24, 31:11, 32:8, 32:13, 32:16, 33:2, 33:13, 35:6, 36:7, 38:11, 39:3, 39:4, 47:13, 47:15, 48:10, 50:4, 50:5, 50:6, 57:12, 57:13, 58:12, 58:22, 59:6, 59:16, 59:18, 60:7, 60:19, 60:22, 60:23, 61:3, 62:5, 62:17, 62:22, 63:2, 63:4, 63:10, 63:13, 64:11, 64:15, 64:19, 64:24, 65:5, 65:16, 66:3, 66:21, 68:2, 68:22, 69:7, 71:12, 72:7, 72:16, 73:9, 73:11, 74:2, 74:5, 74:20, 75:2, 75:13, 77:10, 78:6, 78:13, 78:16, 78:20, 79:4, 80:17, 80:18, 80:21, 82:19, 82:22, 83:2, 83:11, 87:1, 87:5, 87:10, 87:24, 88:8, 88:14, 89:6, 89:25, 90:2, 90:20, 90:22, 91:7, 91:11, 91:15, 93:22, 94:14, 94:17, 98:1, 98:25, 99:25, 100:4, 100:13, 101:4, 101:18, 104:20, 105:24, 107:20, 108:2, 109:5, 109:20, 111:13, 111:16, 112:12, 112:13, 113:5, 113:8, 114:21, 114:25, 115:21, 115:23, 116:22, 116:23, 117:2, 117:21, 118:5, 118:18, 119:15, 119:22, 124:19, 125:9, 125:24, 126:19, 126:22, 137:8, 137:11,	137:25, 138:3, 138:4, 138:6, 138:8, 138:24, 139:2, 139:5, 139:7, 139:12, 139:13, 139:19, 140:8, 140:9, 140:10, 140:12, 141:23, 142:8, 142:10, 147:12, 147:19, 147:20, 148:8, 148:15, 149:17, 150:11, 151:6, 151:7, 155:15, 168:19, 170:8, 170:11, 171:22, 176:16, 186:18, 186:20, 187:2, 187:14, 187:20, 187:24, 188:1, 188:4, 188:7, 188:8, 188:9, 188:10, 189:6, 190:13, 190:14, 190:17, 190:18, 190:22, 191:8, 191:11, 191:16, 191:23, 193:13, 193:17, 193:21, 193:24, 193:25, 194:8, 194:10, 194:12, 194:16, 194:22, 194:23, 195:1, 196:2, 196:3, 197:7, 206:16, 210:24, 211:2, 212:20, 212:23, 212:24, 213:20, 214:7, 214:8, 214:22, 215:9, 216:10, 216:12, 217:4, 217:5, 217:6, 217:8, 218:7, 218:21, 219:6, 219:14, 220:23, 221:15, 221:21, 221:22, 222:14, 222:23, 223:7, 223:17, 226:19, 229:1, 229:10, 230:4, 231:8, 232:5, 232:9, 233:25, 234:3, 234:6, 234:14, 234:23, 235:8, 235:12, 236:10, 236:12, 236:13, 237:13, 237:17, 238:3, 238:25, 240:2, 241:1, 241:5, 241:8, 241:10, 241:12, 241:13,	241:14, 241:15, 241:21, 242:3, 242:4, 242:6, 242:8, 242:9, 242:14, 242:24, 242:25, 243:7, 244:19, 244:21, 246:9, 248:14, 248:19, 248:22, 248:25, 249:9 fire-dynamics [1] - 188:7 Firearms [1] - 185:23 firefighter [18] - 13:24, 14:7, 14:11, 18:1, 19:20, 22:9, 22:13, 30:4, 59:9, 60:2, 70:25, 82:2, 89:10, 97:21, 100:9, 111:19, 111:22, 112:1 firefighters [19] - 15:15, 17:24, 18:6, 18:9, 21:16, 21:20, 22:24, 30:5, 30:14, 30:19, 35:19, 35:20, 36:20, 63:17, 97:23, 107:2, 111:23, 113:13 firefighting [6] - 18:16, 19:21, 68:17, 80:2, 112:25, 192:23 firemen [1] - 166:25 fires [23] - 23:24, 24:5, 25:8, 68:21, 69:9, 107:24, 187:7, 187:24, 188:2, 188:3, 189:8, 189:9, 189:14, 189:18, 229:9, 241:18, 242:10, 242:14, 242:21, 242:23, 243:6, 249:3 first [46] - 13:5, 21:24, 22:16, 23:21, 25:14, 28:20, 29:25, 31:12, 32:2, 37:12, 42:8, 54:1, 63:13, 65:18, 70:15, 75:20, 75:21, 79:2, 85:16, 97:1, 99:24, 101:12, 110:22, 111:3, 115:17, 117:12, 124:18, 127:22, 130:14, 130:17, 130:19, 134:19, 134:22, 137:2, 144:1, 172:15, 177:9, 184:20, 186:9, 191:8, 193:9,	206:14, 206:25, 207:7, 216:15 firsthand [1] - 246:11 fit [1] - 115:6 five [13] - 15:17, 115:9, 115:10, 117:20, 129:23, 129:24, 138:10, 144:23, 145:19, 154:3, 167:2, 174:15, 183:21 flame [11] - 188:3, 214:15, 218:6, 221:20, 226:24, 227:24, 228:4, 228:17, 236:3, 236:9, 244:25 flames [3] - 62:10, 65:7, 98:6 flaming [2] - 214:22 flammable [2] - 227:20, 227:23 flare [2] - 63:6, 192:12 flare-ups [1] - 192:12 flash [1] - 79:17 flashed [1] - 68:22 flashing [1] - 62:4 flashlight [1] - 79:17 flashover [7] - 77:25, 78:3, 78:4, 78:25, 237:2, 240:13 flathead [1] - 79:21 flipped [1] - 177:11 floor [16] - 25:24, 48:16, 51:14, 73:13, 73:19, 79:4, 126:22, 201:1, 214:14, 222:20, 237:14, 237:15, 237:17, 238:8, 238:10, 246:4 flow [2] - 213:5, 232:9 foam [2] - 68:18, 68:19 focus [1] - 102:20 foggy [1] - 108:14 folks [2] - 66:7, 71:13 followed [2] - 157:8, 157:22 follows [5] - 13:5, 70:15, 110:22, 144:1, 184:20 foot [1] - 124:23 footage [1] - 36:2 force [6] - 18:8, 30:5, 188:23, 189:5, 189:7, 239:11 Force [1] - 188:25 forced [4] - 30:11, 61:7, 194:9, 216:11 forces [1] - 188:20
---	---	--	---	--

<p>foregoing [1] - 250:6</p> <p>foreground [1] - 212:16</p> <p>foremost [1] - 117:12</p> <p>Forest [15] - 19:8, 20:3, 48:23, 49:14, 63:19, 99:22, 100:1, 111:2, 111:10, 112:7, 112:24, 113:8, 114:25, 117:22, 126:21</p> <p>form [23] - 52:13, 54:12, 58:11, 78:13, 100:20, 167:20, 176:5, 176:10, 177:1, 177:10, 177:14, 177:22, 178:9, 178:15, 180:23, 180:24, 181:16, 181:17, 181:23, 181:24, 182:2, 182:3, 182:8</p> <p>formal [1] - 59:17</p> <p>format [1] - 197:12</p> <p>formate [1] - 83:10</p> <p>forms [2] - 161:13, 175:25</p> <p>Fort [4] - 112:10, 114:4, 115:7, 250:23</p> <p>forth [5] - 73:19, 74:11, 74:15, 199:12, 208:6</p> <p>forward [6] - 22:14, 22:25, 74:21, 76:4, 227:1, 233:14</p> <p>fought [2] - 26:2, 138:19</p> <p>foundation [2] - 88:23, 211:6</p> <p>four [13] - 22:18, 75:12, 113:15, 113:16, 115:9, 115:10, 115:15, 124:23, 129:16, 129:17, 154:3, 167:1, 185:13</p> <p>four-foot [1] - 124:23</p> <p>fourth [1] - 25:23</p> <p>frame [8] - 31:1, 50:11, 81:23, 81:24, 127:21, 131:8, 195:3, 222:10</p> <p>frames [1] - 237:8</p> <p>framing [1] - 237:10</p> <p>Fred [1] - 96:1</p> <p>free [6] - 72:22, 73:1, 74:21, 77:5, 92:15, 102:3</p> <p>frequently [1] - 175:8</p> <p>fresh [2] - 79:6, 81:13</p>	<p>Friday [2] - 113:17, 147:4</p> <p>friend [2] - 166:15, 166:19</p> <p>front [47] - 17:18, 21:18, 22:5, 22:6, 22:21, 23:22, 23:23, 24:1, 27:8, 29:19, 33:2, 33:9, 33:11, 37:14, 61:17, 64:1, 76:8, 76:20, 76:22, 81:11, 83:12, 83:24, 84:9, 105:11, 116:10, 119:3, 138:21, 138:22, 138:25, 158:1, 158:25, 159:3, 163:8, 193:11, 201:8, 208:12, 211:18, 214:13, 215:2, 215:21, 216:10, 216:20, 216:23, 219:2, 220:13, 227:4, 232:24</p> <p>fuel [25] - 23:13, 69:2, 73:20, 73:24, 74:9, 74:12, 74:25, 75:7, 77:19, 100:7, 108:2, 188:5, 211:24, 212:1, 212:5, 212:7, 212:10, 212:12, 213:12, 217:24, 217:25, 218:24, 219:3, 229:9, 229:11</p> <p>fuels [1] - 240:10</p> <p>full [4] - 59:12, 83:10, 122:1, 134:3</p> <p>full-time [1] - 59:12</p> <p>furniture [3] - 48:17, 74:13, 246:7</p>	<p>47:14, 47:15, 77:23, 77:24, 103:14, 166:22, 195:15, 211:2, 213:10, 213:14, 215:10, 218:12, 218:15, 219:7, 229:25, 235:22, 235:24</p> <p>gases [14] - 73:15, 101:23, 212:24, 212:25, 213:21, 214:4, 214:8, 218:9, 220:5, 220:6, 226:23, 227:21, 227:23, 232:9</p> <p>gassing [1] - 227:20</p> <p>gather [2] - 162:3, 176:15</p> <p>gauge [1] - 36:14</p> <p>gear [4] - 17:10, 18:15, 18:16, 142:11</p> <p>general [5] - 20:15, 60:14, 158:2, 159:6, 241:3</p> <p>generally [8] - 15:12, 101:4, 147:4, 149:20, 162:15, 170:10, 228:6, 238:20</p> <p>generated [1] - 99:6</p> <p>generation [2] - 80:4, 92:1</p> <p>generator [1] - 95:13</p> <p>gentleman [1] - 65:24</p> <p>gentlemen [2] - 43:8, 183:24</p> <p>Georgia [2] - 186:12, 186:24</p> <p>GILL [9] - 143:17, 143:24, 144:3, 153:19, 153:22, 165:11, 165:21, 168:22, 183:7</p> <p>given [5] - 48:23, 137:14, 174:9, 207:12, 219:22</p> <p>glance [1] - 127:22</p> <p>glass [3] - 62:4, 215:20, 237:9</p> <p>glasses [1] - 225:4</p> <p>glove [2] - 132:9, 226:2</p> <p>gloves [1] - 142:13</p> <p>glow [1] - 20:14</p> <p>Glynco [4] - 186:12, 186:14, 186:24, 187:4</p> <p>God [1] - 249:2</p> <p>graduated [2] - 145:4, 185:5</p>	<p>granted [4] - 51:5, 95:6, 133:24, 209:2</p> <p>graphic [1] - 199:8</p> <p>gray [2] - 94:9, 153:15</p> <p>great [4] - 107:13, 194:2, 211:22, 225:7</p> <p>great-room [1] - 194:2</p> <p>greatest [1] - 195:12</p> <p>green [5] - 81:17, 85:11, 102:24, 103:3, 107:8</p> <p>ground [6] - 15:18, 35:24, 46:22, 80:15, 121:9, 126:24</p> <p>group [3] - 112:16, 197:2, 197:5</p> <p>grow [1] - 111:5</p> <p>growing [1] - 118:19</p> <p>guess [14] - 64:14, 75:16, 116:18, 132:12, 139:15, 147:1, 149:18, 169:19, 177:23, 192:23, 208:22, 217:1, 227:7, 235:18</p> <p>guidance [1] - 176:11</p> <p>guilty [1] - 207:16</p> <p>gutter [1] - 211:4</p> <p>guys [8] - 17:11, 22:23, 116:24, 117:1, 117:13, 118:2, 126:5, 128:6</p> <p>gyp [6] - 223:6, 234:22, 235:1, 235:2, 235:17, 243:1</p> <p>gypsum [4] - 222:19, 237:11, 240:5, 240:7</p>	<p>20:16, 53:7, 68:19, 70:9, 84:9, 90:10, 110:17, 119:14, 122:9, 122:14, 123:7, 129:2, 132:9, 135:2, 135:8, 143:20, 167:10, 177:14, 184:15, 227:7, 238:4</p> <p>HAND [1] - 250:16</p> <p>handed [1] - 50:6</p> <p>handle [3] - 75:13, 171:20, 188:12</p> <p>handler [1] - 202:8</p> <p>handling [1] - 171:18</p> <p>hands [4] - 187:12, 243:21, 243:24, 244:7</p> <p>handwriting [2] - 167:22, 167:23</p> <p>hanging [2] - 220:18, 222:21</p>
--	--	--	---	---

<p>224:24, 226:7, 229:25, 232:21, 235:23, 236:1, 236:6, 236:8, 236:9, 236:15 heaters [2] - 219:7, 230:7 heavier [1] - 240:9 heavy [22] - 21:24, 30:25, 36:14, 62:16, 62:22, 65:5, 78:17, 79:3, 79:21, 116:21, 119:11, 120:20, 121:1, 121:2, 139:13, 192:11, 194:8, 194:10, 194:16, 219:5, 232:7 heavy-gauge [1] - 36:14 height [2] - 82:2, 121:15 heights [4] - 188:3, 214:3, 214:5, 214:10 held [4] - 145:8, 145:16, 226:1, 235:19 help [9] - 68:20, 150:22, 154:22, 154:25, 155:24, 156:7, 190:18, 192:24, 198:8 helping [2] - 170:10, 171:22 hereby [1] - 250:5 hesitate [1] - 206:6 hidden [1] - 91:20 high [14] - 59:20, 73:3, 97:4, 109:4, 109:8, 121:8, 211:23, 213:17, 214:14, 215:10, 228:23, 234:9, 234:14, 236:8 higher [2] - 228:1, 228:2 highest [2] - 20:8, 77:22 highlighted [2] - 122:16, 128:23 Hill [15] - 19:8, 20:3, 48:23, 49:15, 63:19, 99:22, 100:1, 111:2, 111:10, 112:7, 112:24, 113:8, 114:25, 117:22, 126:21 himself [2] - 173:6, 173:12 hit [1] - 117:20 hold [9] - 14:15, 14:25, 15:1, 111:18, 111:25, 112:4, 145:11, 145:14, 186:7 hole [7] - 83:17, 83:19, 87:17, 87:19, 88:13, 238:7, 238:9 holes [4] - 90:10, 90:13, 216:25, 238:2 Holland [3] - 81:25, 89:9, 91:1 home [18] - 58:5, 58:10, 141:14, 146:25, 147:6, 151:20, 152:9, 157:18, 165:24, 166:8, 166:13, 166:16, 166:18, 166:20, 166:21, 166:23, 171:10, 190:3 homicide [1] - 169:18 Honor [78] - 12:7, 12:10, 13:3, 25:16, 26:25, 27:22, 27:24, 28:3, 31:18, 34:7, 34:11, 34:18, 40:18, 41:10, 41:15, 41:20, 42:18, 44:8, 47:19, 52:5, 53:5, 53:11, 53:15, 53:18, 54:18, 56:14, 56:18, 56:23, 84:16, 85:13, 85:16, 85:23, 89:12, 89:21, 92:11, 95:5, 106:18, 110:1, 121:17, 123:17, 123:20, 124:6, 124:7, 128:11, 131:19, 131:23, 132:17, 135:25, 136:7, 142:23, 165:11, 165:13, 168:23, 175:19, 183:5, 183:8, 183:10, 184:5, 184:6, 196:14, 198:16, 198:21, 200:23, 200:24, 201:2, 203:1, 203:19, 204:2, 204:7, 206:1, 206:14, 207:14, 208:8, 209:4, 210:3, 210:14, 212:2, 249:11 hook [5] - 68:18, 83:3, 83:6, 128:6, 128:7 hooked [1] - 25:13 hooks [1] - 83:6 hoping [1] - 171:9 hose [16] - 15:18, 22:22, 23:21, 76:10, 79:8, 82:3, 82:4, 82:7, 92:16, 92:17, 103:15, 107:10, 115:4, 117:1, 231:3, 231:4 hoses [1] - 115:6 hot [25] - 76:23, 77:19, 78:1, 82:20, 89:3, 91:22, 91:23, 103:13, 139:8, 187:13, 192:10, 192:13, 192:21, 192:24, 193:1, 213:21, 220:5, 220:6, 220:19, 226:23, 231:6, 234:6, 235:22, 236:1, 236:15 hour [10] - 64:13, 64:14, 64:16, 65:18, 136:5, 140:23, 140:24, 158:11, 191:16 hours [16] - 13:19, 16:21, 26:3, 65:14, 65:20, 69:8, 71:7, 72:4, 113:17, 146:19, 146:20, 147:2, 190:1 house [61] - 25:12, 35:7, 36:1, 36:4, 36:11, 39:1, 39:8, 40:24, 42:3, 42:4, 42:5, 45:7, 49:16, 63:23, 64:2, 64:18, 64:23, 64:25, 65:6, 65:11, 66:2, 67:11, 73:24, 74:13, 98:5, 106:10, 108:1, 116:25, 126:21, 129:7, 137:16, 138:1, 147:12, 147:19, 147:20, 148:8, 148:15, 149:6, 151:2, 152:16, 154:14, 154:20, 155:13, 155:17, 155:19, 155:21, 161:4, 171:15, 174:9, 176:14, 221:17, 221:18, 223:20, 231:9, 235:16, 235:22, 237:14, 237:19, 238:8, 243:6 household [1] - 68:24 houses [1] - 45:12 hull [1] - 167:8 Hull [9] - 46:12, 143:17, 143:19, 144:5, 154:12, 165:21, 167:18, 177:24, 180:8 HULL [1] - 143:25 human [1] - 204:25 Hummel [36] - 152:21, 153:4, 153:5, 153:8, 153:22, 154:4, 155:8, 155:11, 156:9, 157:22, 158:16, 159:15, 160:2, 162:15, 162:24, 163:13, 163:24, 164:1, 164:3, 164:7, 164:11, 164:13, 164:22, 166:6, 167:14, 168:9, 168:13, 171:25, 172:12, 172:16, 180:20, 181:11, 181:13, 182:23, 206:18 Hummel's [3] - 167:11, 167:23, 177:22 hundred [5] - 187:6, 187:9, 189:17, 211:11 hundred-plus [1] - 189:17 hurt [2] - 18:20, 18:21 hydrant [4] - 25:10, 25:12, 114:14, 115:5 hydrants [2] - 20:21, 114:20 hydrocarbons [1] - 77:18 hypothetical [1] - 218:22</p>	<p>identity [2] - 206:22, 207:11 Igloo [1] - 217:20 ignite [6] - 78:5, 216:8, 220:8, 220:20, 227:22, 227:23 ignited [4] - 220:11, 227:11, 227:25, 237:5 ignites [1] - 78:6 ignition [9] - 78:1, 227:12, 227:15, 227:18, 227:24, 227:25, 228:1, 228:7 illustrate [1] - 138:16 illustration [1] - 103:25 image [4] - 27:4, 27:12, 121:24, 232:25 imager [9] - 79:13, 79:15, 79:16, 80:1, 80:3, 80:4, 91:25, 117:23, 118:7 images [4] - 31:4, 31:8, 48:3, 48:6 imagine [1] - 101:5 immediate [1] - 173:9 immediately [3] - 175:2, 205:21, 219:19 impact [3] - 193:25, 229:7, 240:25 impacted [2] - 193:22, 221:20 impacting [1] - 236:9 impacts [1] - 228:23 impediment [4] - 213:2, 213:3, 213:5, 213:6 impingement [5] - 36:8, 218:6, 235:9, 235:12, 236:3 important [6] - 100:9, 114:17, 119:22, 129:4, 173:25, 191:7 improve [1] - 92:20 improvised [1] - 188:17 in-car [1] - 78:8 incendiary [3] - 248:19, 248:22, 249:8 inch [5] - 76:12, 82:5, 82:6, 89:11, 115:9 inches [3] - 76:22, 121:4, 121:6 Incipient [1] - 73:2 incipient [1] - 74:20</p>
--	---

<p>include [1] - 132:24 included [2] - 186:22, 250:9 including [2] - 69:22, 186:12 inclusive [3] - 34:9, 131:21 inclusively [2] - 34:14, 34:15 incorporated [1] - 45:24 increased [1] - 194:25 independent [2] - 204:9, 204:10 indetectable [1] - 179:3 indicate [2] - 176:17, 233:25 indicated [9] - 32:20, 33:4, 53:12, 60:19, 154:14, 155:4, 171:14, 176:13, 218:6 indicates [2] - 173:10, 181:7 indicating [1] - 225:8 indicative [10] - 213:20, 217:17, 220:15, 220:17, 223:13, 229:22, 237:17, 241:10, 241:11, 244:24 indicator [1] - 217:17 indirectly [4] - 170:18, 170:19, 171:2, 171:17 individual [13] - 26:14, 51:19, 122:22, 135:12, 153:9, 153:16, 162:21, 174:24, 244:7, 245:10, 247:13, 247:15, 247:22 individual's [1] - 181:17 individuals [8] - 39:12, 182:4, 192:22, 196:7, 207:11, 216:15, 243:10, 245:8 induce [1] - 73:17 induced [1] - 229:5 inflicted [1] - 206:17 inform [1] - 199:22 information [6] - 17:3, 161:11, 176:6, 176:15, 177:1, 238:23 informed [1] - 43:15 Ingram [1] - 190:3</p>	<p>initial [28] - 21:1, 21:5, 23:19, 28:22, 29:11, 31:11, 36:19, 40:8, 40:13, 46:6, 50:21, 51:2, 60:23, 61:9, 64:18, 64:20, 64:22, 72:17, 72:20, 72:24, 93:17, 95:8, 186:14, 191:4, 193:8, 216:13, 230:21, 239:6 initials [3] - 167:8, 178:2, 178:5 initiative [1] - 66:16 injuries [6] - 206:17, 243:23, 244:1, 244:6, 246:11, 247:9 inquire [1] - 28:9 inscribe [1] - 178:10 inset [1] - 128:18 inside [26] - 24:15, 30:23, 48:3, 49:1, 51:23, 68:23, 69:9, 73:3, 79:8, 87:1, 101:10, 107:14, 118:20, 138:7, 148:9, 149:6, 158:4, 158:16, 158:19, 158:21, 159:2, 159:18, 196:7, 198:8, 211:21, 221:11 insides [1] - 243:24 inspect [1] - 219:10 Institute [2] - 187:1, 187:23 instruct [1] - 49:6 instructed [1] - 125:23 instruction [1] - 192:22 instructions [4] - 118:22, 118:25, 176:11, 249:16 instruments [1] - 238:13 insulation [9] - 93:19, 94:10, 127:10, 222:21, 223:16, 234:22, 234:25, 237:12 intact [9] - 194:3, 194:4, 194:19, 215:4, 215:6, 220:10, 236:6, 245:25, 246:1 intends [1] - 55:11 intense [1] - 232:15 intensely [1] - 191:12 intensify [2] - 63:3, 229:12</p>	<p>intensive [1] - 18:12 intent [2] - 179:23, 180:18 intentional [1] - 249:3 interdiction [1] - 185:17 interest [2] - 172:13, 174:5 interested [2] - 155:8, 155:10 interfere [1] - 170:9 interior [5] - 104:18, 117:17, 211:8, 223:19, 226:5 intermediate [5] - 14:3, 15:4, 112:2, 112:3, 145:15 internationally [1] - 189:13 intersection [1] - 34:21 interview [28] - 158:21, 159:1, 159:10, 159:12, 159:16, 159:21, 160:8, 160:22, 160:23, 161:23, 162:6, 162:9, 162:21, 163:24, 164:1, 164:7, 165:3, 168:12, 173:1, 178:17, 178:19, 178:20, 178:21, 179:16, 180:3, 180:4, 182:12, 216:17 interviewing [1] - 164:3 interviews [1] - 162:13 introduce [4] - 13:8, 70:18, 110:25, 154:9 introduced [3] - 63:8, 154:11, 180:23 introduction [2] - 101:17, 228:17 investigate [2] - 204:9, 218:14 investigation [19] - 34:5, 88:1, 127:18, 139:15, 170:1, 171:5, 186:13, 187:14, 189:20, 191:8, 191:14, 202:1, 202:3, 202:5, 203:15, 203:17, 219:11, 230:13, 238:15 Investigation [2] - 145:25, 170:21</p>	<p>investigations [1] - 186:22 investigative [3] - 86:16, 201:17, 203:9 investigator [6] - 66:20, 68:7, 185:13, 186:19, 187:20, 226:1 Investigator [1] - 164:6 Investigators [1] - 189:4 investigators [9] - 65:21, 65:22, 66:13, 87:24, 123:6, 206:6, 224:14, 248:12 involved [9] - 24:2, 64:9, 110:4, 143:1, 183:15, 189:6, 218:20, 218:23, 219:14 involving [1] - 189:9 issue [1] - 53:1 issues [2] - 188:10, 248:16 items [13] - 73:18, 73:23, 88:5, 94:8, 119:23, 128:15, 198:7, 212:15, 213:17, 214:16, 224:12, 225:16, 239:23 itinerary [1] - 149:11 itself [6] - 22:3, 45:18, 75:1, 189:7, 212:19, 221:12</p>	<p>joined [2] - 180:12, 180:15 joist [4] - 223:9, 223:14, 234:18, 234:24 joists [1] - 235:4 Josh [5] - 36:3, 146:10, 150:7, 152:22 JOSHUA [1] - 110:21 Joshua [4] - 111:4, 111:6, 111:7, 166:19 Judge [32] - 26:20, 28:5, 28:8, 28:13, 31:22, 34:25, 41:23, 43:17, 47:6, 50:19, 52:7, 52:10, 55:6, 55:18, 56:8, 68:12, 69:16, 70:13, 86:17, 89:15, 109:23, 126:11, 133:3, 133:22, 134:9, 142:18, 168:25, 183:19, 198:25, 200:15, 203:13, 209:21 Judicial [2] - 250:4, 250:22 July [1] - 111:12 jump [2] - 82:1, 84:22 jumps [1] - 156:17 June [1] - 12:2 jurisdiction [1] - 190:17 jurors [1] - 28:11 jury [68] - 12:3, 12:15, 13:8, 22:7, 26:7, 26:10, 26:15, 27:16, 28:9, 32:24, 33:8, 40:11, 43:9, 43:14, 44:15, 44:23, 45:1, 55:5, 70:18, 74:7, 89:24, 95:5, 102:12, 111:1, 116:11, 122:24, 124:8, 124:11, 125:13, 130:23, 133:23, 134:19, 135:6, 135:14, 135:22, 143:11, 143:12, 144:4, 165:22, 170:6, 175:16, 183:24, 183:25, 184:3, 184:8, 185:2, 198:9, 199:16, 200:7, 200:9, 200:10, 200:20, 200:22, 204:11, 206:20, 208:11, 208:12, 209:15,</p>
J				
<p>January [1] - 250:17 Jason [2] - 146:6, 149:9 jeans [1] - 163:9 jerk [1] - 94:25 job [2] - 22:17, 59:12 jobs [2] - 59:22, 59:24 Joey [1] - 203:21 John [21] - 99:3, 99:4, 99:5, 99:13, 152:20, 153:4, 153:8, 166:6, 167:11, 167:14, 167:23, 171:25, 172:11, 172:15, 175:2, 176:10, 181:11, 181:13, 181:20, 182:23 Johnson [2] - 111:9, 111:17 join [2] - 180:19, 185:19</p>				

209:19, 209:25, 210:2, 210:4, 210:7, 210:19, 213:25, 223:2, 234:18, 249:14 Jury [6] - 12:16, 43:11, 44:24, 143:14, 184:9, 210:5 jury's [3] - 80:22, 80:24, 116:15 justice [1] - 185:6 Justice [2] - 186:2, 188:12 justify [1] - 82:13	59:12, 64:25, 127:7, 127:15, 173:25, 181:23, 234:12, 235:18 kitchen [12] - 24:17, 49:4, 81:12, 109:10, 109:14, 109:15, 120:3, 124:20, 194:21, 194:23, 217:23, 226:11 knob [1] - 107:9 knock [4] - 24:4, 63:10, 91:11, 91:14 knock-down [1] - 63:10 knocked [15] - 33:13, 35:6, 48:10, 65:5, 90:4, 90:5, 91:13, 117:18, 117:19, 119:1, 125:25, 138:3, 138:6, 138:9, 138:20 knocking [2] - 64:15, 107:4 knowledge [1] - 39:12 known [6] - 17:21, 48:4, 77:10, 83:2, 187:13, 231:8	late [4] - 69:8, 146:19, 235:2 laterally [2] - 185:22, 213:1 laundry [8] - 194:14, 219:19, 219:20, 222:2, 224:1, 224:5, 245:22, 245:25 law [3] - 144:16, 182:9, 186:23 lawyer [1] - 54:2 lawyers [2] - 110:4, 143:1 lay [1] - 37:14 layer [7] - 27:7, 213:10, 213:14, 218:9, 228:11, 238:19 layers [5] - 214:10, 238:20, 238:21, 238:23, 245:10 laying [4] - 50:1, 51:14, 93:13, 246:9 layout [2] - 42:10, 42:14 Lazy [1] - 218:13 lead [1] - 107:9 learn [1] - 147:20 learned [3] - 61:6, 186:20, 186:21 learning [2] - 188:1, 188:2 least [6] - 169:18, 172:12, 187:6, 241:7, 241:19, 242:1 leave [9] - 68:9, 107:23, 156:21, 156:23, 157:2, 171:9, 173:14, 174:2, 174:6 leaves [2] - 114:2, 220:23 led [1] - 194:14 left [40] - 19:2, 20:16, 23:23, 53:7, 58:25, 65:10, 66:23, 66:24, 68:4, 68:5, 87:11, 90:2, 119:14, 119:20, 119:21, 122:9, 122:14, 153:17, 155:14, 155:17, 161:4, 165:24, 166:18, 176:14, 182:18, 185:11, 187:15, 212:15, 217:17, 219:3, 220:20, 226:14, 237:7, 238:4, 244:11, 248:6, 248:7, 249:2	left-hand [6] - 20:16, 53:7, 119:14, 122:9, 122:14, 238:4 legally [1] - 52:19 legs [2] - 75:12, 153:7 length [1] - 228:23 less [2] - 64:13, 220:4 lessen [1] - 214:8 letting [1] - 130:22 level [12] - 14:3, 14:14, 14:24, 77:5, 111:25, 145:11, 189:21, 189:24, 218:10, 220:5, 228:11, 232:6 levels [6] - 14:1, 14:20, 14:22, 111:23, 145:13, 215:10 license [1] - 166:5 licensed [1] - 60:2 lieutenant [30] - 12:20, 13:9, 25:18, 27:2, 28:5, 28:14, 31:2, 31:24, 33:1, 33:18, 40:20, 49:14, 56:25, 97:15, 97:17, 97:20, 109:24, 110:13, 110:14, 111:2, 121:19, 124:10, 124:16, 126:16, 132:5, 134:2, 134:12, 136:21, 137:3, 142:24 Lieutenant [26] - 12:21, 12:23, 13:11, 34:21, 35:3, 45:5, 51:7, 59:6, 68:16, 70:2, 75:22, 76:2, 76:6, 115:21, 116:11, 119:6, 119:13, 120:8, 120:19, 120:21, 125:5, 136:10, 136:25, 138:21, 142:17, 203:21 life [8] - 14:18, 81:7, 139:10, 139:17, 139:19, 139:23, 141:25 life-threatening [1] - 81:7 lifesaving [1] - 18:12 lift [1] - 73:20 light [18] - 24:20, 24:21, 24:22, 35:1, 49:22, 49:23, 76:21, 119:8, 214:17, 215:13, 220:8, 220:9, 220:17, 221:14, 224:12, 227:8, 232:12 light-blue [1] - 76:21 lightening [1] - 249:5 lighter [1] - 220:14 lights [7] - 24:23, 25:1, 25:2, 47:7, 47:21, 61:24, 62:3 likely [1] - 78:15 limitations [1] - 106:23 limited [1] - 105:25 limits [1] - 147:24 line [42] - 22:22, 23:21, 23:22, 25:13, 25:14, 29:25, 35:25, 36:4, 36:11, 36:20, 37:12, 66:11, 68:19, 76:10, 89:11, 98:18, 103:6, 103:15, 116:3, 116:5, 137:8, 195:25, 213:13, 214:3, 222:3, 222:4, 222:5, 222:7, 222:8, 226:16, 227:2, 228:9, 228:10, 231:3, 231:4, 231:9, 234:19, 242:6, 242:8, 248:1 lines [5] - 29:23, 98:21, 167:2, 167:17, 214:11 link [1] - 206:24 list [3] - 12:12, 97:5, 209:21 listed [1] - 123:15 listen [1] - 143:2 literally [1] - 217:12 live [1] - 36:20 living [6] - 24:18, 74:14, 82:14, 148:21, 194:2, 211:21 load [1] - 188:5 loads [1] - 217:24 lobby [2] - 159:6, 174:21 local [3] - 39:8, 189:2, 190:13 locate [3] - 142:3, 142:14, 195:15 located [10] - 18:24, 62:19, 71:9, 111:7, 142:4, 150:18, 158:24, 159:12, 178:16, 241:22 location [14] - 53:13, 54:15, 54:20, 94:17, 113:23, 149:18, 152:11, 152:13, 157:6, 162:7,
K	L		
keep [7] - 28:15, 31:25, 66:25, 84:12, 124:12, 134:15, 147:1 keeping [1] - 201:12 Kennedale [63] - 13:10, 14:8, 15:7, 15:22, 15:25, 18:23, 19:19, 20:9, 26:4, 30:14, 30:19, 31:5, 34:3, 45:24, 46:1, 46:15, 46:16, 58:22, 60:4, 63:17, 64:8, 64:10, 71:14, 71:17, 72:7, 75:19, 78:8, 96:24, 97:3, 97:7, 99:23, 112:10, 112:20, 113:17, 114:9, 120:3, 136:25, 138:24, 144:7, 144:9, 144:12, 144:19, 145:18, 147:24, 148:24, 149:2, 150:4, 157:4, 157:10, 157:14, 158:16, 159:3, 166:1, 166:2, 166:3, 166:4, 166:9, 168:6, 169:5, 169:11, 190:10, 190:22, 192:23 Kennedale's [2] - 76:11, 99:21 kennel [2] - 39:25, 46:9 kept [2] - 46:20, 83:12 kick [3] - 101:8, 101:15, 182:9 kicked [2] - 62:13, 62:16 kills [1] - 107:2 kind [10] - 15:9, 23:25,	labeled [1] - 232:11 lack [1] - 245:21 ladder [3] - 15:20, 15:21, 97:14 ladders [1] - 15:18 Ladies [1] - 183:24 ladies [1] - 43:8 laid [1] - 29:23 lamine [1] - 25:21 Langford [1] - 203:21 lap [4] - 210:25, 237:14, 237:24 large [18] - 20:13, 83:6, 83:8, 91:3, 95:1, 129:17, 129:20, 135:16, 186:22, 189:8, 211:23, 212:9, 225:15, 233:4, 244:14, 244:25, 247:8 larger [1] - 95:2 Larry [1] - 190:3 laser [6] - 40:10, 47:10, 104:5, 116:10, 138:16, 193:5 last [4] - 78:7, 153:16, 155:14, 222:1		

181:17, 202:13, 205:16, 207:25 locations [2] - 202:9, 205:8 lock [2] - 159:8, 216:21 locked [1] - 174:22 log [1] - 191:15 logo [1] - 166:4 long-sleeve [1] - 163:10 look [39] - 22:18, 24:15, 24:16, 25:3, 25:19, 25:23, 33:23, 41:3, 57:11, 57:12, 73:6, 75:12, 78:7, 87:10, 98:19, 98:20, 109:4, 113:3, 118:3, 188:3, 191:9, 196:21, 203:24, 212:13, 212:18, 212:22, 220:12, 220:16, 221:10, 225:3, 230:7, 234:3, 235:13, 235:17, 238:21, 242:12, 243:13, 245:11 looked [10] - 51:20, 57:20, 62:9, 62:24, 99:11, 102:18, 128:3, 197:11, 201:14, 233:23 looking [75] - 24:21, 24:24, 30:23, 32:4, 34:24, 35:4, 35:21, 36:24, 37:8, 38:5, 40:22, 46:4, 46:8, 47:1, 48:15, 51:12, 61:22, 62:6, 86:1, 90:6, 92:4, 93:20, 118:5, 121:9, 123:8, 123:10, 124:13, 125:2, 126:17, 128:2, 129:10, 134:4, 134:22, 139:6, 139:8, 141:22, 141:25, 203:4, 210:23, 211:17, 211:18, 212:10, 215:2, 215:5, 215:22, 215:24, 216:20, 216:23, 219:16, 221:25, 222:2, 222:16, 222:18, 223:6, 224:4, 225:1, 226:25, 230:6, 232:15, 232:17, 232:19, 232:24, 233:6, 234:1,	234:18, 236:17, 236:19, 236:21, 236:24, 239:2, 240:15, 242:25, 244:14, 245:18, 247:12 looks [5] - 63:9, 67:24, 129:3, 203:10, 225:16 loose [1] - 36:16 loss [3] - 247:16, 247:20, 247:23 loud [3] - 22:25, 23:2, 23:9 low [2] - 73:9, 220:3 lower [10] - 53:7, 122:9, 122:14, 128:18, 128:23, 215:12, 217:17, 218:10, 227:10, 238:4 lying [1] - 120:17 M man [1] - 97:9 mandated [1] - 58:11 mandates [1] - 13:18 manifest [1] - 52:22 manner [1] - 207:25 manpower [2] - 113:10, 140:6 Mansfield [13] - 19:9, 20:4, 51:25, 63:19, 70:19, 70:22, 71:5, 71:10, 71:12, 71:18, 92:6, 95:17, 136:18 Mansfield's [1] - 71:17 map [7] - 38:5, 38:23, 93:11, 122:8, 128:19, 217:17, 229:22 maps [2] - 114:11, 114:14 Mark [2] - 70:6, 70:19 MARK [1] - 70:14 marked [14] - 25:20, 27:3, 31:3, 33:20, 41:2, 47:24, 84:19, 121:20, 128:14, 130:21, 164:17, 165:9, 196:17, 197:15 marker [3] - 202:16, 202:18 markers [5] - 201:10, 201:16, 202:7, 202:12, 202:22 Marshal [1] - 190:3 Marshal's [2] - 55:22,	65:25 Marshall's [1] - 190:21 Martinez [2] - 47:21, 212:3 Maryland [3] - 186:25, 187:1, 187:22 mask [12] - 23:15, 23:17, 79:11, 80:12, 81:21, 94:25, 104:23, 140:18, 140:20, 192:6, 239:7, 239:9 masking [1] - 22:23 masks [1] - 142:13 master [1] - 14:3 masters [1] - 145:15 match [1] - 122:19 material [3] - 216:7, 225:17, 230:22 materials [5] - 68:24, 218:5, 227:16, 237:4 matter [4] - 200:8, 205:7, 205:15, 208:23 matters [1] - 209:3 mattress [8] - 94:4, 106:2, 121:14, 128:4, 128:7, 130:20, 225:22, 240:22 max [1] - 118:9 McMurray [4] - 75:25, 137:2, 137:4, 138:22 mean [29] - 16:23, 23:15, 73:1, 75:1, 78:3, 79:20, 82:8, 82:22, 84:9, 84:10, 86:8, 99:22, 107:4, 108:25, 110:2, 114:1, 114:23, 117:7, 118:15, 119:17, 121:2, 126:6, 139:4, 170:3, 187:25, 201:25, 217:6, 227:14, 242:3 means [8] - 21:11, 78:4, 208:1, 237:2, 242:5, 244:8, 244:9, 244:10 meant [1] - 48:18 mechanisms [1] - 236:6 Medical [6] - 55:23, 206:23, 207:2, 239:17, 244:11, 245:7 Medstar [1] - 112:25 meet [5] - 48:25, 49:3, 49:15, 120:2, 190:20 meeting [1] - 241:13	melt [2] - 36:15, 234:7 melted [7] - 195:3, 195:25, 211:3, 213:18, 220:1, 237:11, 246:4 member [3] - 188:20, 189:3, 189:10 members [15] - 33:7, 45:1, 89:24, 116:11, 125:12, 183:24, 185:2, 189:1, 200:7, 210:6, 210:19, 223:5, 239:11, 248:10, 249:14 memory [2] - 99:10, 108:17 men [1] - 240:25 mentioned [9] - 22:24, 24:5, 29:8, 33:2, 169:7, 187:22, 202:11, 230:20, 248:9 message [3] - 149:3, 149:4, 149:8 met [2] - 49:19, 138:20 metal [6] - 127:15, 130:14, 134:22, 228:18, 228:19, 246:19 meter [6] - 47:2, 47:10, 47:12, 47:14, 47:15, 195:15 methodically [1] - 238:19 Metroplex [1] - 185:4 mic [1] - 179:10 microphone [5] - 42:12, 53:25, 86:14, 147:13, 179:6 middle [3] - 25:9, 39:5, 170:11 midnight [4] - 137:20, 137:21, 141:17, 147:5 might [11] - 22:14, 125:9, 127:9, 136:5, 139:24, 216:4, 223:15, 225:6, 230:13, 238:24, 245:10 Mike [1] - 75:25 mileage [1] - 19:1 miles [2] - 112:8, 157:12 mind [1] - 165:21 minimal [3] - 126:22, 193:25, 247:21 minivan [1] - 157:6 minus [2] - 89:6, 130:3	minute [2] - 187:22, 198:22 minutes [12] - 51:16, 63:21, 72:14, 118:14, 136:5, 136:19, 140:23, 174:15, 182:20, 183:22, 209:21, 235:18 misread [1] - 204:3 missed [1] - 22:20 missing [1] - 103:6 mission [1] - 188:12 misspoke [1] - 203:9 mix [1] - 36:22 mobile [1] - 18:12 modification [2] - 43:16, 203:15 modifications [1] - 44:2 modified [5] - 43:18, 44:4, 44:6, 203:8, 206:5 moment [2] - 55:8, 203:4 Monday [1] - 147:4 monitor [1] - 215:25 months [2] - 185:21, 186:11 Moore [2] - 56:7, 69:15 MOORE [28] - 26:20, 27:21, 31:17, 41:19, 41:23, 43:1, 50:19, 50:25, 51:4, 52:7, 52:10, 54:5, 54:9, 55:10, 55:14, 55:17, 56:3, 56:8, 59:5, 63:22, 63:25, 64:1, 68:11, 69:16, 126:11, 199:10, 199:15, 199:25 Moore's [1] - 208:21 mop [1] - 126:1 mop-up [1] - 126:1 morning [34] - 12:17, 15:15, 16:6, 16:10, 16:11, 16:14, 16:20, 26:3, 33:23, 64:6, 65:11, 65:12, 72:4, 95:18, 95:24, 95:25, 110:25, 113:17, 136:10, 136:11, 141:4, 146:18, 146:20, 146:23, 158:6, 158:8, 158:11, 162:16, 163:7, 164:7, 171:9, 174:19, 182:15, 190:1
--	--	---	---	--

<p>Most ^[1] - 225:13 most ^[7] - 16:9, 117:20, 121:4, 219:19, 230:25, 231:5, 236:7 mostly ^[1] - 112:20 Motion ^[2] - 52:17, 126:14 motion ^[1] - 179:2 Motions ^[1] - 50:22 mounted ^[3] - 178:25, 179:1, 179:8 mouse ^[2] - 223:14, 238:4 move ^[8] - 30:8, 82:7, 134:20, 135:5, 183:20, 195:7, 215:11, 229:19 moved ^[8] - 138:10, 194:4, 194:11, 194:25, 195:5, 205:8, 205:16, 205:20 moves ^[1] - 74:21 moving ^[4] - 128:2, 194:1, 214:12, 215:7 MR ^[227] - 12:6, 12:7, 12:10, 12:11, 12:20, 13:3, 13:7, 14:24, 25:15, 25:18, 26:18, 26:20, 26:24, 27:2, 27:19, 27:21, 27:24, 28:2, 28:5, 28:8, 28:14, 31:15, 31:17, 31:21, 31:24, 32:15, 34:7, 34:11, 34:17, 34:20, 34:25, 35:3, 40:17, 40:20, 41:10, 41:14, 41:17, 41:19, 41:23, 42:9, 42:13, 42:17, 43:1, 43:3, 43:5, 43:17, 44:5, 44:8, 44:14, 44:18, 44:22, 45:5, 47:6, 47:9, 47:18, 47:23, 50:19, 50:25, 51:4, 51:7, 52:4, 52:7, 52:10, 53:5, 53:10, 53:15, 53:18, 54:5, 54:9, 54:18, 55:6, 55:10, 55:13, 55:14, 55:15, 55:17, 55:18, 56:3, 56:4, 56:8, 56:14, 56:17, 56:22, 56:25, 59:2, 59:5, 63:22, 63:24, 63:25, 64:1, 68:11, 68:15, 69:13, 69:16, 70:6, 70:13, 70:17, 84:15, 84:18, 85:13, 85:16,</p>	<p>85:21, 85:23, 86:3, 86:8, 86:15, 86:17, 86:22, 86:24, 89:12, 89:15, 89:20, 89:23, 92:11, 92:14, 93:1, 93:3, 95:4, 95:7, 95:19, 95:23, 106:16, 106:18, 106:20, 108:6, 108:9, 109:22, 109:23, 110:1, 110:13, 110:24, 116:8, 121:16, 121:19, 123:17, 123:20, 123:25, 124:6, 124:7, 124:10, 126:11, 126:16, 128:10, 128:13, 131:19, 131:23, 132:1, 132:4, 132:17, 132:21, 133:2, 133:5, 133:7, 133:22, 134:1, 134:9, 134:12, 135:25, 136:4, 136:7, 136:9, 142:18, 142:20, 142:23, 143:17, 143:24, 144:3, 153:19, 153:22, 165:11, 165:13, 165:21, 168:22, 168:25, 169:2, 175:19, 175:21, 183:4, 183:7, 183:10, 183:19, 184:5, 184:6, 184:12, 184:22, 196:14, 196:16, 198:16, 198:21, 198:25, 199:5, 199:10, 199:15, 199:18, 199:25, 200:1, 200:4, 200:15, 200:23, 200:24, 201:2, 201:6, 202:25, 203:7, 203:12, 203:19, 204:2, 204:7, 204:12, 204:15, 204:17, 206:1, 206:14, 207:14, 208:8, 208:10, 208:18, 208:21, 209:4, 209:16, 209:20, 210:3, 210:13, 210:17, 212:2, 212:5, 249:11 MS ^[1] - 53:22</p>	<p>multiplier ^[1] - 18:8 must ^[2] - 207:21, 208:4 mutual ^[12] - 19:7, 19:8, 20:2, 71:16, 71:20, 71:21, 96:14, 96:22, 97:5, 112:18, 112:21, 115:1 MY ^[1] - 250:16</p>	<p>N</p> <p>nails ^[3] - 127:7, 235:19, 235:21 name ^[8] - 13:9, 21:14, 111:3, 144:4, 166:6, 167:16, 167:20, 180:22 named ^[1] - 21:17 narcotics ^[1] - 185:10 National ^[3] - 187:3, 189:10, 235:5 national ^[3] - 189:8, 189:15, 189:17 nationwide ^[1] - 189:11 natural ^[7] - 39:8, 218:12, 218:15, 219:7, 229:18, 229:25, 235:24 natural-gas ^[3] - 218:12, 218:15, 229:25 nature ^[6] - 133:9, 133:16, 147:11, 147:18, 162:14, 204:15 Naval ^[1] - 188:15 near ^[4] - 24:17, 62:17, 214:14, 244:14 nearly ^[1] - 195:9 necessarily ^[2] - 156:23, 209:16 necessary ^[2] - 100:5, 114:7 need ^[27] - 18:18, 19:23, 28:15, 32:10, 42:12, 43:5, 43:8, 52:22, 69:25, 85:23, 113:24, 114:20, 115:3, 133:13, 140:15, 151:15, 181:4, 183:20, 192:9, 199:8, 199:10, 199:15, 200:7, 202:11, 225:3, 228:5 needed ^[17] - 18:12, 66:6, 83:20, 98:23,</p>	<p>137:1, 150:23, 151:24, 154:12, 154:13, 154:20, 154:24, 156:7, 160:14, 168:19, 173:1, 176:25, 199:22 needs ^[3] - 22:13, 175:2, 209:17 neighbor ^[1] - 112:9 neighboring ^[2] - 112:21, 114:11 never ^[9] - 37:18, 47:16, 86:4, 214:14, 214:15, 214:22, 218:6, 220:7, 220:11 new ^[1] - 15:24 News ^[1] - 41:24 news ^[1] - 41:25 next ^[30] - 12:19, 16:11, 21:12, 47:3, 49:21, 64:6, 65:11, 65:19, 70:5, 79:6, 80:10, 84:1, 110:12, 115:3, 119:2, 125:17, 143:16, 151:14, 155:3, 160:9, 160:21, 178:5, 178:19, 183:18, 184:11, 196:20, 197:2, 197:5, 207:2, 211:13 night ^[38] - 17:17, 18:3, 20:2, 20:6, 24:11, 39:5, 39:13, 40:2, 46:11, 46:23, 48:6, 60:16, 72:3, 72:9, 76:14, 79:14, 86:25, 87:11, 88:11, 89:7, 90:11, 90:18, 92:7, 95:8, 108:3, 108:11, 109:8, 118:1, 118:3, 122:23, 123:2, 125:13, 129:9, 130:1, 147:6, 161:4, 249:6, 249:12 nighttime ^[1] - 16:24 nine ^[2] - 145:17, 167:2 NIOSH ^[1] - 107:7 NO ^[1] - 250:21 noise ^[1] - 23:12 none ^[1] - 84:11 nonresponsive ^[1] - 92:12 norm ^[1] - 48:19 normal ^[1] - 147:1 normally ^[4] - 97:16, 99:20, 99:21, 181:16</p>	<p>north ^[8] - 108:1, 194:11, 195:14, 211:18, 221:25, 239:4, 241:21, 243:3 North ^[1] - 21:20 north/south ^[1] - 29:3 northeast ^[1] - 219:17 northwest ^[1] - 247:13 Nos ^[7] - 31:20, 34:16, 44:19, 56:21, 124:5, 133:21, 210:10 notably ^[2] - 109:2, 109:8 note ^[1] - 22:2 notebook ^[2] - 201:7, 203:2 notes ^[2] - 204:3, 206:20 nothing ^[7] - 25:8, 109:23, 118:10, 126:7, 126:8, 167:3, 228:21 notice ^[2] - 195:19, 214:19 noticed ^[3] - 21:24, 98:21, 195:11 notifications ^[2] - 114:7, 120:18 notify ^[2] - 50:3, 114:3 November ^[1] - 71:1 nowadays ^[1] - 13:12 number ^[18] - 39:5, 56:13, 57:11, 69:20, 97:1, 97:2, 134:7, 166:5, 166:11, 166:14, 166:15, 167:21, 186:22, 189:9, 211:14, 211:23, 233:23, 244:5 numbered ^[1] - 250:10 numbers ^[2] - 203:2, 203:23</p>
<p>O</p>					
<p>o'clock ^[10] - 16:6, 16:10, 16:11, 16:14, 16:17, 65:11, 95:18, 141:4, 191:16, 192:19 Oaks ^[1] - 67:7 object ^[21] - 41:23, 42:1, 42:2, 50:19, 52:13, 52:15, 54:12, 83:5, 121:5, 121:8, 126:12, 133:9, 206:3, 225:20, 228:13, 230:5, 240:19, 244:14,</p>					

<p>245:3, 246:19 objection [52] - 26:21, 27:21, 31:17, 34:12, 41:17, 42:15, 42:23, 42:25, 44:12, 45:2, 50:23, 51:1, 52:20, 52:24, 52:25, 53:19, 54:2, 54:4, 54:21, 55:24, 69:17, 85:17, 86:3, 89:16, 92:11, 123:21, 124:2, 124:4, 126:15, 132:18, 132:23, 132:25, 133:15, 133:17, 133:18, 165:17, 183:9, 183:10, 203:5, 203:14, 204:4, 206:10, 206:12, 207:7, 207:8, 207:13, 208:7, 208:16, 208:24, 209:2, 209:3, 209:5 objectionable [1] - 44:9 objections [9] - 44:7, 52:10, 56:2, 86:10, 123:22, 124:1, 165:14, 165:15, 206:1 objects [4] - 18:19, 35:18, 73:18, 107:3 obligations [1] - 20:19 obliterate [1] - 42:23 obliterated [1] - 42:1 observation [6] - 60:23, 219:23, 238:5, 240:18, 241:3, 246:5 observations [14] - 20:12, 24:8, 24:11, 24:15, 46:22, 49:24, 50:17, 51:8, 128:1, 173:9, 212:19, 218:1, 236:1, 243:20 observe [6] - 149:20, 152:18, 179:16, 182:12, 182:25, 205:15 observed [8] - 98:1, 149:22, 152:20, 153:1, 176:6, 193:9, 193:12, 247:19 obstacles [1] - 82:11 obstruct [1] - 45:10 obtain [1] - 239:12 obtained [1] - 239:14 obvious [3] - 178:22, 179:10, 179:13 obviously [12] - 35:6,</p>	<p>37:25, 101:14, 102:2, 170:4, 173:1, 194:21, 201:16, 206:11, 220:4, 236:8, 247:7 occasion [13] - 16:20, 36:2, 50:17, 72:6, 78:7, 120:14, 127:14, 185:18, 190:2, 190:20, 196:5, 210:20, 243:12 occasionally [1] - 189:13 occupied [1] - 144:6 occurred [2] - 238:22, 250:10 October [1] - 185:23 OF [2] - 250:1, 250:2 offense [1] - 176:7 offer [15] - 26:19, 27:20, 31:16, 34:9, 42:17, 52:5, 85:14, 123:19, 131:21, 154:23, 165:12, 168:21, 190:18, 198:20, 206:21 offered [4] - 34:12, 44:15, 161:10, 181:1 offering [1] - 41:12 offers [1] - 155:2 office [5] - 25:23, 55:22, 160:10, 190:22, 245:8 Office [6] - 55:22, 65:25, 185:12, 206:23, 207:3, 239:17 officer [23] - 13:12, 17:16, 19:17, 20:8, 20:19, 21:2, 21:6, 25:3, 33:5, 46:17, 113:21, 114:17, 117:11, 117:25, 129:9, 144:7, 144:9, 144:13, 145:14, 152:22, 158:13, 181:18, 244:4 Officer [11] - 30:12, 61:6, 62:12, 67:17, 67:19, 150:7, 152:20, 153:24, 154:2, 170:5, 172:17 officers [9] - 146:1, 146:8, 146:11, 150:23, 151:9, 155:16, 168:18, 169:6, 169:17 offices [4] - 159:25, 160:6, 160:8</p>	<p>Official [2] - 250:3, 250:22 OFFICIAL [1] - 250:16 once [31] - 23:19, 48:10, 58:4, 73:21, 74:20, 90:21, 95:8, 123:6, 128:18, 130:19, 135:8, 137:13, 138:8, 149:22, 150:22, 154:11, 157:15, 158:19, 158:21, 158:25, 159:15, 172:3, 172:5, 213:3, 215:13, 217:11, 219:22, 229:25, 234:17, 244:20 oncoming [1] - 38:10 one [73] - 12:12, 15:11, 15:12, 15:13, 18:1, 19:17, 23:7, 29:20, 33:2, 36:18, 52:11, 54:2, 54:11, 55:8, 57:5, 60:11, 60:20, 67:5, 67:14, 71:13, 75:11, 75:16, 79:15, 80:9, 96:21, 101:21, 104:22, 109:17, 113:9, 113:10, 114:19, 118:2, 119:12, 124:22, 128:19, 129:12, 129:16, 129:19, 129:20, 136:18, 139:14, 140:6, 141:7, 146:4, 146:11, 148:9, 152:8, 155:14, 158:14, 161:13, 167:1, 171:10, 171:20, 175:6, 176:2, 181:1, 181:9, 189:12, 204:3, 204:24, 206:7, 224:1, 227:2, 228:15, 230:1, 230:15, 234:20, 241:18, 241:21, 242:14 One [1] - 155:12 one's [1] - 54:10 one-alarm [1] - 19:17 one-page [1] - 141:7 ones [3] - 105:11, 129:17, 209:5 opaque [1] - 27:7 open [33] - 17:1, 22:1, 24:9, 24:13, 28:21, 29:18, 32:13, 32:14, 33:12, 40:7, 48:16,</p>	<p>63:1, 67:14, 67:17, 67:22, 67:23, 100:11, 101:15, 107:24, 109:15, 109:16, 125:6, 153:6, 194:21, 194:22, 214:15, 214:22, 227:23, 228:4, 229:5, 229:13, 229:16, 250:11 OPEN [4] - 43:7, 56:10, 86:21, 200:6 Open [6] - 12:3, 43:14, 143:11, 184:3, 200:20, 209:25 opened [7] - 28:23, 30:11, 30:12, 61:13, 79:3, 81:13, 194:9 opening [4] - 79:5, 95:3, 232:1, 232:4 openings [2] - 229:20, 232:10 operating [1] - 66:8 operations [3] - 71:7, 145:22 operator [1] - 97:21 Operator [2] - 89:9, 91:1 opinion [14] - 45:17, 90:16, 93:20, 107:12, 123:4, 135:19, 135:21, 216:4, 222:13, 233:16, 242:18, 245:2, 246:3, 246:5 opinions [1] - 78:13 opportunity [5] - 44:3, 80:24, 174:6, 189:19, 189:23 opposed [2] - 181:14, 236:10 opposite [1] - 139:23 option [3] - 173:21, 173:24, 174:10 or.. [1] - 47:17 orange [9] - 30:18, 32:5, 78:11, 103:20, 103:22, 105:17, 122:7, 123:14, 224:18 order [11] - 31:25, 47:13, 47:16, 97:12, 104:20, 132:22, 195:17, 206:23, 223:23, 224:24, 230:3 orderly [1] - 231:16 orders [2] - 76:6, 119:2</p>	<p>ordinary [1] - 74:3 ordnances [1] - 188:15 origin [23] - 78:16, 87:25, 88:14, 109:6, 186:21, 187:4, 187:5, 187:7, 187:10, 189:20, 190:14, 198:9, 202:4, 203:18, 214:7, 216:18, 219:11, 231:17, 236:12, 238:15, 242:2, 242:17, 244:13 origin-and-cause [1] - 187:10 origin-cause [1] - 187:7 original [5] - 205:8, 205:16, 235:15, 235:17, 237:25 originated [10] - 219:6, 221:23, 230:5, 236:13, 241:8, 241:15, 241:20, 241:21, 243:6, 243:7 originating [4] - 196:4, 221:22, 236:10, 241:6 otherwise [1] - 172:9 outlet [1] - 221:6 outlets [2] - 221:11, 221:14 outrank [1] - 170:4 outside [24] - 37:24, 37:25, 51:12, 51:24, 63:23, 66:14, 75:5, 109:18, 153:7, 191:4, 193:9, 193:10, 199:9, 199:16, 200:8, 200:22, 204:10, 206:20, 209:7, 210:20, 221:10, 221:18, 237:24 outweighs [1] - 55:2 overall [2] - 202:4, 202:20 overhaul [2] - 91:15, 91:16 overhauled [1] - 66:6 overhauling [1] - 91:17 overlay [1] - 27:12 overnight [1] - 45:21 overruled [14] - 50:24, 53:20, 54:21, 124:3, 126:15, 133:1,</p>
--	---	---	---	--

133:16, 133:19, 165:18, 204:6, 207:7, 207:13, 208:7, 208:17 oversee [1] - 145:23 overseeing [1] - 171:18 overtime [1] - 72:5 own [10] - 23:12, 66:16, 99:20, 156:20, 157:1, 161:8, 173:23, 174:3, 182:8, 191:4 oxidation [2] - 228:17, 228:21 oxygen [11] - 63:4, 74:9, 74:11, 75:2, 79:6, 100:8, 101:17, 102:2, 102:3, 107:19, 108:2	paramedics [1] - 18:5 pardon [1] - 85:21 park [1] - 115:12 parked [6] - 29:19, 67:20, 158:1, 158:2, 170:11 parking [9] - 23:8, 115:13, 115:14, 152:9, 158:2, 158:3, 168:20, 171:16 Parkway [1] - 157:14 part [43] - 20:19, 21:19, 24:7, 34:5, 48:21, 49:15, 52:18, 59:14, 72:15, 74:10, 74:16, 79:5, 85:6, 97:3, 100:19, 107:19, 107:20, 127:16, 127:20, 128:23, 130:14, 148:11, 180:25, 185:25, 188:11, 189:5, 191:8, 202:2, 202:4, 207:18, 211:14, 216:14, 216:19, 219:10, 233:5, 235:5, 237:19, 237:24, 239:24, 246:2, 246:14, 247:3, 248:15 partially [3] - 233:3, 233:4, 246:1 particles [1] - 77:17 particular [18] - 71:12, 74:10, 78:16, 80:9, 82:12, 91:3, 94:15, 98:5, 101:21, 102:1, 102:2, 106:9, 115:13, 127:16, 132:23, 136:22, 176:5, 241:7 particularly [1] - 199:8 parties [4] - 44:20, 69:24, 250:8, 250:15 partner [1] - 84:12 pass [11] - 59:2, 68:12, 69:13, 95:20, 106:16, 108:6, 109:22, 136:1, 168:22, 183:4, 203:1 passenger [1] - 17:18 past [8] - 21:11, 22:4, 25:12, 74:20, 125:15, 159:24, 196:10, 197:11 pasture [2] - 125:7, 125:8 patch [1] - 166:3 path [2] - 229:4	patrol [6] - 145:23, 146:8, 149:17, 156:18, 168:18, 185:10 Patrol [2] - 36:3, 78:14 pattern [6] - 119:18, 223:13, 226:18, 228:25, 244:18, 244:24 patterns [5] - 191:9, 191:11, 231:20, 241:9, 241:11 Pause [1] - 198:24 PD [3] - 144:15, 158:5, 163:17 peace [1] - 145:13 pecking [1] - 97:12 pedestrian [2] - 116:14, 168:20 peeled [1] - 63:9 pen [2] - 39:25, 237:13 Penal [1] - 248:21 penetrate [2] - 237:13, 237:18 penetrated [1] - 211:4 people [9] - 19:24, 37:22, 76:13, 115:15, 125:4, 129:6, 142:1, 159:19, 187:15 period [13] - 68:25, 140:11, 151:13, 163:14, 164:9, 185:8, 187:2, 187:8, 192:15, 192:17, 234:25, 237:18, 238:3 permanent [1] - 166:12 permission [2] - 35:1, 212:3 person [14] - 79:2, 135:16, 135:17, 135:18, 135:20, 149:5, 158:14, 169:18, 172:13, 174:5, 174:25, 178:22, 203:16, 216:2 personal [1] - 102:9 personnel [10] - 92:6, 97:24, 150:2, 151:7, 168:19, 174:23, 194:9, 201:17, 217:3, 217:13 persons [1] - 203:17 pertain [1] - 196:12 pertaining [2] - 176:2, 197:7 phenomenon [1] -	187:24 phone [11] - 39:4, 166:9, 166:11, 166:13, 166:14, 166:16, 166:17, 172:3, 172:9, 190:2 photo [36] - 32:4, 35:14, 36:25, 37:2, 38:6, 39:18, 40:5, 57:8, 78:20, 87:22, 89:5, 93:20, 121:25, 122:3, 122:19, 124:11, 128:16, 128:22, 129:1, 130:15, 134:2, 135:12, 196:10, 203:2, 211:13, 212:15, 217:1, 220:12, 222:16, 223:15, 228:14, 231:4, 232:22, 233:11, 233:13, 233:17 photograph [15] - 42:1, 52:12, 53:14, 54:16, 63:7, 64:3, 67:3, 67:24, 104:21, 202:14, 202:15, 202:17, 216:23, 222:1, 222:19 photographed [2] - 205:22, 246:22 photographs [26] - 52:16, 52:22, 54:25, 86:25, 87:5, 132:14, 133:10, 196:7, 199:7, 199:20, 202:9, 202:10, 202:20, 202:21, 204:16, 204:19, 204:24, 205:6, 205:7, 205:16, 205:19, 206:4, 206:7, 206:15, 209:6, 228:16 photos [18] - 55:20, 63:22, 80:25, 87:25, 88:10, 130:24, 131:1, 131:11, 196:11, 196:12, 197:10, 198:7, 198:8, 206:25, 211:12, 233:15, 233:23, 243:13 phrase [2] - 19:24, 74:4 phrases [1] - 19:10 picked [1] - 76:2 picture [12] - 57:2, 82:12, 90:7, 94:8,	105:1, 123:6, 219:24, 220:18, 223:19, 224:13, 227:8, 237:7 pictures [5] - 104:4, 123:13, 125:2, 197:17, 234:1 piece [11] - 42:24, 68:17, 71:18, 97:10, 130:13, 136:22, 161:12, 202:16, 225:17, 238:24, 240:5 pieces [4] - 19:21, 83:8, 113:7, 224:1 pier [1] - 237:20 pile [1] - 126:10 pilot [2] - 227:24, 228:1 pink [4] - 38:23, 103:7, 103:23, 104:15 pinpointed [1] - 202:23 pipe [4] - 82:18, 83:4, 134:21, 233:11 place [26] - 17:6, 25:14, 36:16, 73:15, 74:20, 141:16, 151:6, 154:24, 155:1, 155:13, 158:5, 161:4, 161:24, 162:3, 166:7, 169:19, 170:8, 176:16, 178:9, 180:19, 202:18, 220:11, 235:2, 239:19, 239:21, 245:13 placed [6] - 202:17, 202:22, 203:16, 204:25, 205:11, 207:2 placement [1] - 20:20 places [1] - 114:15 plan [3] - 23:20, 81:9, 180:18 planning [1] - 207:24 plastic [6] - 33:18, 205:1, 213:17, 214:17, 219:23, 227:18 plastics [3] - 211:24, 212:10, 220:2 plate [1] - 215:20 play [1] - 207:12 playgrounds [1] - 39:21 plea [1] - 207:16 plenty [2] - 74:12, 75:7
--	--	--	---	--

<p>plumbing [1] - 233:10</p> <p>plus [2] - 24:14, 189:17</p> <p>POB [1] - 166:7</p> <p>point [97] - 20:17, 22:10, 24:3, 29:20, 32:15, 33:2, 35:5, 38:15, 42:18, 46:14, 47:1, 47:10, 48:9, 48:25, 49:14, 50:3, 51:23, 55:19, 57:6, 59:13, 64:15, 64:19, 64:24, 65:8, 66:17, 75:17, 75:23, 77:22, 77:25, 81:9, 90:4, 90:5, 93:10, 95:7, 106:5, 107:14, 109:6, 111:14, 115:22, 117:6, 117:10, 118:6, 118:20, 119:13, 120:1, 120:15, 124:14, 125:1, 125:22, 125:24, 127:14, 130:20, 135:14, 148:14, 148:19, 151:15, 153:9, 153:12, 154:2, 154:16, 154:18, 155:6, 155:13, 156:16, 156:17, 156:19, 159:5, 159:7, 160:9, 160:11, 160:25, 163:21, 164:24, 165:11, 171:17, 172:19, 172:21, 173:4, 174:23, 175:5, 176:14, 180:15, 210:14, 213:25, 220:22, 223:17, 227:12, 227:19, 237:3, 239:10, 239:15, 242:6, 242:7, 242:8, 242:9, 247:7, 249:12</p> <p>pointer [6] - 28:18, 32:2, 40:10, 116:10, 134:18, 193:5</p> <p>points [2] - 78:16, 155:25</p> <p>poked [1] - 87:17</p> <p>pole [9] - 35:25, 80:25, 82:18, 83:3, 83:4, 93:5, 130:13, 134:23</p> <p>poles [1] - 211:5</p> <p>Police [9] - 31:5, 78:8, 144:20, 159:4, 166:1, 166:2, 168:6, 169:12, 185:9</p>	<p>police [43] - 33:5, 34:4, 46:12, 46:18, 65:25, 144:7, 144:9, 144:13, 148:14, 150:2, 150:4, 151:3, 151:17, 151:21, 152:15, 155:5, 155:24, 156:6, 156:10, 156:14, 157:4, 157:11, 157:16, 157:21, 157:24, 158:2, 158:4, 158:11, 158:17, 158:20, 158:23, 159:13, 159:18, 163:8, 166:25, 170:9, 173:19, 174:14, 174:23, 174:24, 182:22, 191:23, 244:4</p> <p>policies [1] - 100:2</p> <p>policy [1] - 169:19</p> <p>policy's [1] - 170:14</p> <p>Polycon [1] - 87:15</p> <p>pool [1] - 188:3</p> <p>popup [1] - 40:14</p> <p>porch [8] - 24:2, 29:25, 33:2, 33:9, 33:14, 37:11, 80:12, 90:2</p> <p>portion [11] - 44:9, 100:13, 138:1, 194:1, 194:5, 199:20, 208:25, 216:12, 225:15, 225:21, 244:25</p> <p>portions [2] - 137:15, 250:7</p> <p>ports [1] - 78:15</p> <p>posed [3] - 165:14, 206:7, 206:15</p> <p>posing [1] - 206:16</p> <p>position [2] - 17:17, 206:17</p> <p>positioned [1] - 248:5</p> <p>possibility [3] - 139:20, 139:23, 139:25</p> <p>possible [3] - 48:15, 169:18, 221:14</p> <p>possibly [2] - 125:3, 176:15</p> <p>post [1] - 186:2</p> <p>poster [3] - 25:21, 224:7, 225:13</p> <p>poured [1] - 88:23</p> <p>power [6] - 35:25, 36:3, 38:25, 98:21, 195:21</p>	<p>practice [2] - 101:8, 162:12</p> <p>preconnect [4] - 76:11, 79:9, 82:4, 89:11</p> <p>predicate [1] - 85:17</p> <p>prejudicial [4] - 53:1, 55:2, 133:10, 206:11</p> <p>prep [2] - 25:22, 57:12</p> <p>preparation [4] - 41:4, 57:21, 102:11, 102:15</p> <p>prepare [4] - 96:4, 99:16, 102:10, 102:14</p> <p>prepared [1] - 151:19</p> <p>preparing [2] - 102:19, 151:18</p> <p>presence [9] - 181:11, 199:9, 199:16, 200:8, 200:22, 204:10, 206:20, 209:7, 209:15</p> <p>present [23] - 12:3, 12:9, 12:16, 43:11, 43:14, 44:24, 66:20, 102:17, 132:6, 132:13, 143:11, 143:14, 184:3, 184:9, 200:10, 200:20, 201:23, 202:1, 204:22, 209:25, 210:5, 212:8, 243:9</p> <p>presentation [2] - 55:16, 249:13</p> <p>preserve [2] - 164:15, 208:24</p> <p>preserved [2] - 123:22, 177:15</p> <p>pressure [1] - 82:9</p> <p>Pretrial [3] - 50:22, 52:17, 126:14</p> <p>pretrial [2] - 132:18, 208:23</p> <p>pretty [17] - 20:18, 30:8, 63:20, 72:25, 73:2, 73:4, 83:17, 91:13, 97:4, 108:25, 115:11, 117:18, 125:25, 136:17, 151:11, 158:5, 186:8</p> <p>previous [3] - 37:2, 132:18, 249:16</p> <p>previously [3] - 53:9, 53:17, 69:20</p> <p>price [1] - 166:23</p> <p>primary [20] - 48:10, 48:12, 48:13, 48:14, 48:21, 48:24, 65:1,</p>	<p>65:2, 65:4, 119:4, 119:5, 120:10, 138:23, 138:25, 139:1, 140:2, 140:4, 141:22, 141:24, 142:2</p> <p>print [1] - 166:5</p> <p>printed [3] - 167:14, 167:15, 180:25</p> <p>priority [2] - 98:23, 191:13</p> <p>pro [5] - 68:16, 68:17, 69:7, 192:23, 231:4</p> <p>pro-pack [5] - 68:16, 68:17, 69:7, 192:23, 231:4</p> <p>probative [3] - 53:1, 133:11, 206:11</p> <p>problem [3] - 12:13, 156:16, 161:6</p> <p>procedure [3] - 99:22, 169:19, 202:18</p> <p>Procedure [1] - 181:25</p> <p>procedures [3] - 100:2, 188:18, 203:9</p> <p>proceed [18] - 12:5, 13:2, 44:21, 45:4, 51:6, 56:11, 70:12, 110:20, 136:6, 143:23, 148:16, 150:21, 184:4, 184:18, 200:21, 208:10, 210:1, 210:12</p> <p>proceeded [8] - 49:11, 49:22, 81:20, 82:3, 83:13, 85:10, 98:25, 148:17</p> <p>PROCEEDINGS [8] - 41:22, 43:7, 52:9, 56:10, 85:25, 86:21, 199:2, 200:6</p> <p>proceedings [4] - 198:24, 249:21, 250:7, 250:13</p> <p>process [5] - 91:15, 91:16, 171:21, 180:16, 216:19</p> <p>product [4] - 212:16, 213:17, 220:9, 240:10</p> <p>products [1] - 214:17</p> <p>professional [2] - 70:24, 242:18</p> <p>proffer [1] - 207:10</p> <p>program [2] - 186:19, 186:20</p> <p>progresses [1] - 73:12</p> <p>progressing [1] -</p>	<p>118:18</p> <p>project [1] - 55:11</p> <p>promotional [1] - 13:13</p> <p>prong [1] - 24:1</p> <p>proof [4] - 207:17, 207:21, 207:22, 207:23</p> <p>property [6] - 40:22, 41:8, 42:9, 42:13, 45:6, 191:24</p> <p>prospective [2] - 69:22, 143:3</p> <p>protect [3] - 18:19, 240:2, 240:7</p> <p>protected [10] - 220:21, 223:7, 225:20, 226:22, 234:21, 235:1, 240:12, 241:25, 246:8, 246:9</p> <p>protecting [1] - 223:16</p> <p>Protection [1] - 13:18</p> <p>protective [2] - 18:17, 142:11</p> <p>provide [3] - 108:2, 112:25, 161:9</p> <p>provided [2] - 39:8, 208:6</p> <p>proving [2] - 206:22, 208:4</p> <p>proximity [1] - 23:5</p> <p>pry [2] - 79:20, 101:13</p> <p>prying [1] - 79:19</p> <p>publish [2] - 95:4, 133:22</p> <p>published [7] - 26:24, 28:2, 31:21, 34:17, 89:20, 124:8, 210:13</p> <p>pull [10] - 21:8, 81:8, 82:18, 83:1, 83:7, 93:6, 116:3, 116:5, 137:8, 147:13</p> <p>pulled [18] - 22:4, 22:22, 29:12, 29:15, 67:25, 80:20, 81:22, 81:24, 93:15, 93:17, 94:25, 115:14, 117:1, 128:7, 130:19, 138:20, 139:17, 244:20</p> <p>pulling [6] - 21:11, 83:10, 94:16, 105:2, 106:3, 243:1</p> <p>pulls [1] - 71:25</p> <p>pump [1] - 15:19</p> <p>punch [1] - 159:7</p> <p>purely [1] - 190:16</p> <p>purifying [1] - 192:8</p>
---	--	---	--	---

<p>purpose [8] - 42:8, 54:12, 80:1, 149:14, 154:17, 163:23, 168:16, 247:5</p> <p>purposes [25] - 25:20, 26:19, 27:3, 27:20, 31:3, 31:16, 33:21, 34:10, 41:2, 41:14, 47:24, 52:6, 84:19, 85:15, 89:13, 121:20, 123:19, 128:14, 130:22, 131:22, 138:15, 197:16, 198:20, 201:13, 208:3</p> <p>purse [1] - 223:25</p> <p>purview [1] - 208:23</p> <p>pushing [1] - 232:3</p> <p>put [29] - 17:10, 23:16, 32:16, 37:11, 42:24, 66:3, 68:20, 69:8, 81:2, 88:8, 91:11, 91:23, 94:18, 118:24, 138:8, 140:9, 161:11, 178:1, 180:22, 187:15, 201:7, 201:16, 201:19, 202:2, 203:20, 207:16, 217:3, 225:6, 235:17</p> <p>putting [4] - 117:2, 138:11, 139:11, 246:10</p>	<p>113:11, 115:15</p> <p>Quint [2] - 48:23, 49:1</p> <p>quints [2] - 19:22, 23:8</p> <p>quite [7] - 100:6, 101:5, 112:22, 173:5, 191:11, 193:13, 236:4</p>	<p>realized [1] - 128:8</p> <p>realizing [2] - 102:24, 217:14</p> <p>really [8] - 20:16, 103:13, 106:8, 170:9, 176:17, 234:10, 235:16, 236:7</p> <p>rear [1] - 226:13</p> <p>reason [6] - 60:15, 92:10, 96:7, 117:10, 225:19, 232:1</p> <p>reasonable [2] - 207:22, 207:23</p> <p>reasoning [1] - 208:6</p> <p>reasons [1] - 117:1</p> <p>receive [7] - 145:6, 147:8, 148:5, 150:17, 170:21, 189:18, 190:2</p> <p>received [7] - 145:9, 148:3, 149:3, 149:8, 172:7, 187:19, 187:21</p> <p>recently [2] - 15:23, 122:24</p> <p>recess [12] - 43:13, 143:8, 143:10, 184:1, 184:2, 200:13, 200:17, ~200:18, 200:19, 209:24, 249:15, 249:20</p> <p>recognize [23] - 27:4, 27:8, 31:4, 47:25, 84:20, 88:4, 121:21, 128:15, 130:6, 130:17, 130:23, 164:18, 196:11, 196:18, 196:22, 197:7, 197:10, 197:17, 197:24, 198:1, 215:17, 215:20, 246:17</p> <p>recognized [2] - 29:17, 130:14</p> <p>recollection [1] - 191:19</p> <p>Record [2] - 250:9, 250:13</p> <p>record [16] - 42:17, 42:20, 43:21, 43:23, 43:25, 44:15, 44:17, 55:19, 56:1, 56:6, 86:18, 138:15, 153:19, 153:21, 179:20, 201:13</p> <p>recorder [1] - 162:7</p> <p>recording [18] - 161:24, 162:5,</p>	<p>162:8, 162:20, 162:24, 163:4, 177:11, 178:16, 179:15, 179:17, 179:19, 179:21, 179:22, 179:25, 180:4, 180:7, 201:23</p> <p>recording's [1] - 178:19</p> <p>records [1] - 160:6</p> <p>recross [1] - 108:7</p> <p>RECROSS [1] - 108:8</p> <p>RECROSS-EXAMINATION [1] - 108:8</p> <p>red [12] - 32:17, 48:4, 50:18, 51:9, 53:13, 57:18, 88:5, 88:11, 217:20, 231:9, 240:14</p> <p>redirect [4] - 68:13, 106:17, 142:19, 183:6</p> <p>REDIRECT [2] - 68:14, 106:19</p> <p>redirected [1] - 109:19</p> <p>reference [7] - 147:12, 147:19, 148:7, 148:8, 149:5, 155:14, 172:23</p> <p>referenced [1] - 239:6</p> <p>referring [1] - 203:25</p> <p>reflect [2] - 153:19, 153:21</p> <p>reflective [2] - 35:15, 35:18</p> <p>reflects [2] - 54:15, 250:13</p> <p>refresh [2] - 99:9, 99:10</p> <p>refrigerator [7] - 227:5, 227:7, 228:15, 229:3, 231:12, 231:14, 231:18</p> <p>regard [14] - 41:19, 42:22, 43:24, 44:1, 52:25, 53:6, 53:20, 54:13, 54:22, 56:12, 133:12, 207:11, 207:19, 209:3</p> <p>regarding [14] - 51:1, 63:8, 85:24, 126:12, 133:15, 133:17, 203:17, 204:5, 207:6, 207:8, 207:13, 218:3</p> <p>regimented [1] - 100:21</p> <p>regular [1] - 68:19</p>	<p>rehab [1] - 35:9</p> <p>reignition [1] - 69:2</p> <p>relation [1] - 159:21</p> <p>relationship [2] - 15:2, 18:22</p> <p>relative [1] - 166:12</p> <p>released [1] - 69:23</p> <p>relevance [1] - 42:3</p> <p>relevant [2] - 42:5, 55:4</p> <p>relief [1] - 38:12</p> <p>relies [1] - 207:21</p> <p>relieved [4] - 16:17, 38:9, 38:10, 58:4</p> <p>remain [2] - 69:18, 182:12</p> <p>remained [2] - 106:12, 106:13</p> <p>remaining [2] - 155:17, 238:11</p> <p>remains [9] - 123:14, 124:13, 130:18, 131:12, 131:16, 135:11, 135:16, 135:23, 243:9</p> <p>remember [16] - 31:25, 40:15, 58:8, 64:25, 67:5, 82:1, 88:11, 105:2, 108:10, 108:12, 108:21, 112:15, 120:6, 162:18, 163:10, 249:15</p> <p>reminded [1] - 208:22</p> <p>remnants [1] - 128:3</p> <p>remove [4] - 66:13, 105:7, 127:25, 238:18</p> <p>removed [9] - 12:12, 44:9, 104:20, 104:23, 131:6, 205:21, 238:19, 243:9, 245:8</p> <p>render [1] - 188:18</p> <p>renew [3] - 123:25, 132:17, 165:13</p> <p>renovated [3] - 219:18, 219:20, 224:6</p> <p>reoffer [1] - 89:13</p> <p>rephrase [1] - 92:13</p> <p>report [19] - 58:8, 58:9, 96:4, 99:6, 99:18, 99:20, 99:25, 100:25, 107:7, 115:16, 141:1, 141:2, 141:7, 141:10, 141:11, 141:15, 141:18, 173:5, 173:10</p>
<p>Q</p>	<p>R</p>			
<p>quarter [3] - 76:12, 82:6, 89:11</p> <p>quarters [3] - 58:5, 82:5, 177:23</p> <p>questions [10] - 53:4, 54:23, 69:14, 86:18, 96:2, 183:7, 201:3, 201:9, 202:25, 204:13</p> <p>quick [5] - 30:9, 48:14, 48:16, 48:17, 119:12</p> <p>quickly [1] - 48:18</p> <p>quiet [1] - 158:5</p> <p>quint [29] - 15:16, 15:17, 15:22, 15:23, 16:2, 17:16, 21:2, 21:23, 22:8, 22:10, 22:25, 23:2, 23:5, 23:7, 24:20, 24:24, 29:19, 30:4, 58:24, 60:5, 60:13, 60:15, 66:21, 71:8, 76:12, 79:14, 95:10,</p>	<p>rack [1] - 245:5</p> <p>radiant [1] - 220:6</p> <p>radio [2] - 17:7, 113:22</p> <p>radios [1] - 76:3</p> <p>rafter [1] - 234:20</p> <p>raging [1] - 238:2</p> <p>raise [5] - 12:24, 70:9, 110:16, 143:19, 184:14</p> <p>raised [3] - 50:21, 52:17, 55:24</p> <p>ran [1] - 120:8</p> <p>rank [3] - 71:4, 97:12, 144:19</p> <p>ranking [1] - 20:8</p> <p>rapidly [1] - 73:22</p> <p>rated [1] - 235:13</p> <p>ratings [1] - 235:6</p> <p>razed [1] - 42:4</p> <p>reach [8] - 117:20, 128:6, 213:8, 216:17, 219:13, 227:11, 227:14, 227:25</p> <p>reached [2] - 78:25, 249:12</p> <p>reaction [2] - 74:19, 74:23</p> <p>read [4] - 107:7, 167:4, 175:15, 203:12</p> <p>reading [1] - 165:22</p> <p>reads [2] - 96:18, 97:6</p> <p>ready [18] - 12:4, 12:6, 13:2, 22:23, 44:14, 44:20, 70:12, 110:20, 113:23, 143:23, 148:20, 184:4, 184:18, 199:18, 200:18, 200:21, 208:10, 210:1</p> <p>real [3] - 48:16, 64:12, 119:11</p> <p>realignment [1] - 186:1</p> <p>realize [2] - 84:1, 201:12</p>			

<p>reported [5] - 30:13, 37:19, 52:2, 115:17, 250:11</p> <p>Reporter [2] - 250:3, 250:22</p> <p>REPORTER [7] - 14:21, 32:10, 42:11, 43:19, 53:24, 86:13, 116:4</p> <p>Reporter's [2] - 250:9, 250:12</p> <p>reports [2] - 58:6, 171:2</p> <p>representative [1] - 89:6</p> <p>request [4] - 69:18, 81:2, 96:22, 238:14</p> <p>requested [2] - 19:8, 250:8</p> <p>require [3] - 55:9, 148:10, 208:19</p> <p>required [1] - 188:9</p> <p>requirements [1] - 14:4</p> <p>rescue [2] - 18:2, 113:11</p> <p>Research [2] - 187:1, 187:23</p> <p>reserve [2] - 15:13, 60:14</p> <p>residence [22] - 40:1, 48:11, 49:1, 68:23, 69:9, 92:3, 107:24, 118:21, 125:23, 129:7, 155:14, 192:2, 192:10, 192:11, 193:12, 196:3, 211:19, 212:8, 212:22, 219:8, 245:8, 245:16</p> <p>resident [3] - 154:14, 154:19, 171:15</p> <p>residential [1] - 190:17</p> <p>residents [1] - 152:8</p> <p>respect [3] - 78:11, 78:19, 221:16</p> <p>respective [3] - 69:24, 110:6, 250:14</p> <p>respectively [1] - 55:3</p> <p>respirator [1] - 192:8</p> <p>respond [4] - 17:14, 18:4, 101:4, 112:16</p> <p>responded [4] - 64:11, 97:25, 99:19, 101:5</p> <p>Responding [1] - 187:13</p> <p>response [15] - 148:3, 166:11, 166:12, 166:13, 166:14,</p>	<p>166:15, 166:16, 166:17, 206:13</p> <p>Response [1] - 189:11</p> <p>responses [2] - 189:15, 189:17</p> <p>responsibilities [2] - 137:15, 170:7</p> <p>responsibility [2] - 99:25, 137:10</p> <p>rest [6] - 162:2, 167:22, 182:14, 199:19, 213:23, 244:22</p> <p>restate [2] - 56:13, 180:13</p> <p>restroom [7] - 159:17, 159:18, 160:9, 160:17, 160:20, 175:3, 175:9</p> <p>restroom's [1] - 159:25</p> <p>result [2] - 52:16, 236:9</p> <p>resume [1] - 249:18</p> <p>retires [4] - 70:4, 110:11, 143:7, 183:17</p> <p>retrieve [1] - 164:10</p> <p>return [1] - 180:4</p> <p>returned [4] - 66:21, 180:2, 182:17, 182:22</p> <p>reverse [1] - 46:5</p> <p>review [2] - 44:3, 197:13</p> <p>reviewed [1] - 54:25</p> <p>ride [2] - 113:21, 113:22</p> <p>ridge [1] - 98:18</p> <p>riding [1] - 17:24</p> <p>right-hand [6] - 90:10, 119:14, 123:7, 129:2, 135:2, 135:8</p> <p>rights [2] - 182:2, 182:5</p> <p>ring [5] - 57:18, 122:3, 122:6, 122:18, 128:22</p> <p>rings [1] - 233:24</p> <p>rise [2] - 73:20, 212:25</p> <p>rises [1] - 73:21</p> <p>risk [1] - 107:13</p> <p>road [4] - 17:15, 35:16, 157:17, 170:12</p> <p>Road [30] - 18:22, 20:11, 20:16, 26:4, 28:20, 29:1, 29:3, 29:6, 31:13, 34:1, 41:7, 46:1, 67:20,</p>	<p>69:10, 147:23, 149:12, 152:17, 157:10, 157:13, 157:14, 157:17, 157:19, 166:9, 168:14, 171:11, 182:19, 190:9, 197:8, 198:10, 198:14</p> <p>Roanoke [2] - 59:11, 59:22</p> <p>role [1] - 168:12</p> <p>rolled [1] - 100:10</p> <p>rolling [1] - 37:15</p> <p>roof [5] - 75:5, 77:22, 98:11, 98:15, 98:18</p> <p>rookie [1] - 13:17</p> <p>room [181] - 24:1, 24:19, 30:15, 30:16, 30:18, 30:20, 30:24, 32:5, 32:12, 32:17, 32:18, 32:22, 32:25, 33:14, 38:5, 38:7, 38:23, 43:10, 48:4, 48:15, 49:11, 49:23, 50:2, 50:18, 51:8, 51:19, 57:5, 57:18, 57:23, 62:10, 62:13, 62:16, 62:18, 62:22, 63:1, 73:15, 74:14, 76:21, 77:14, 77:25, 78:6, 78:11, 78:24, 80:17, 82:15, 85:6, 88:11, 94:15, 103:7, 103:20, 103:23, 104:15, 105:8, 105:16, 106:6, 109:9, 109:13, 118:4, 118:5, 118:11, 119:9, 122:15, 123:14, 123:15, 124:21, 126:5, 126:23, 127:12, 127:19, 128:19, 130:11, 135:12, 142:5, 158:22, 159:1, 159:10, 159:12, 159:16, 159:21, 160:8, 160:22, 160:23, 161:23, 162:5, 162:9, 162:21, 162:25, 164:10, 177:11, 178:16, 178:17, 178:20, 178:21, 178:23, 178:25, 179:1, 179:6, 179:15, 179:16, 179:20, 179:25,</p>	<p>180:3, 180:5, 183:25, 193:18, 194:2, 194:15, 195:7, 200:9, 211:10, 211:22, 212:18, 212:19, 213:16, 215:9, 215:12, 217:21, 217:25, 219:19, 219:20, 220:13, 222:2, 224:1, 224:5, 224:17, 224:18, 226:8, 226:10, 226:12, 226:17, 226:19, 229:16, 229:22, 230:21, 230:22, 230:25, 232:11, 232:12, 232:19, 232:20, 232:22, 233:25, 234:6, 236:17, 236:21, 237:1, 237:3, 238:3, 239:25, 240:14, 241:1, 241:4, 241:5, 241:6, 241:7, 241:8, 241:9, 241:10, 241:12, 241:14, 241:15, 241:16, 241:18, 242:2, 242:21, 242:24, 243:10, 244:17, 244:22, 247:16, 248:2</p> <p>room's [1] - 57:14</p> <p>rooms [9] - 26:15, 26:16, 57:13, 69:3, 104:8, 104:9, 119:9, 217:16, 241:8</p> <p>rotation [1] - 21:18</p> <p>roughly [6] - 144:18, 145:17, 157:12, 158:9, 159:1, 174:17</p> <p>round [1] - 79:6</p> <p>route [3] - 17:5, 149:2, 149:8</p> <p>Rubbermaid [2] - 245:22, 245:25</p> <p>rubbish [2] - 83:5, 93:5</p> <p>rule [2] - 235:18, 248:24</p> <p>Rule [6] - 69:18, 69:19, 69:23, 109:25, 142:22, 183:12</p> <p>rulings [1] - 55:9</p> <p>run [5] - 112:22, 114:5, 115:9, 231:6, 234:1</p>	<p>rungs [1] - 97:14</p> <p>running [5] - 57:13, 107:4, 123:21, 124:4, 209:2</p> <p>runs [4] - 29:3, 109:7, 115:9, 157:18</p> <p>rust [2] - 228:20, 228:22</p>
S				
<p>safe [1] - 188:18</p> <p>safely [1] - 138:10</p> <p>safety [1] - 117:1</p> <p>satellite [1] - 27:12</p> <p>satisfied [1] - 89:16</p> <p>save [3] - 140:10, 141:25, 142:1</p> <p>saw [31] - 29:16, 31:11, 36:3, 37:5, 37:18, 40:7, 48:6, 51:19, 61:3, 62:13, 78:13, 81:13, 87:10, 92:10, 104:21, 108:3, 121:5, 122:22, 127:11, 130:1, 131:16, 134:22, 135:12, 198:14, 213:16, 213:17, 216:2, 216:21, 242:16</p> <p>scene [92] - 14:19, 17:5, 17:7, 20:9, 20:24, 21:4, 22:11, 23:7, 24:22, 25:1, 30:13, 38:10, 38:20, 39:13, 50:5, 52:21, 55:21, 58:4, 58:12, 58:19, 60:16, 60:18, 61:3, 61:6, 63:14, 63:18, 63:19, 66:21, 66:24, 68:4, 75:15, 76:1, 86:5, 87:1, 87:5, 87:10, 87:12, 98:22, 102:2, 106:13, 107:6, 114:18, 114:22, 115:17, 131:17, 136:13, 137:4, 139:10, 148:16, 148:18, 150:3, 150:12, 151:2, 151:25, 152:1, 168:14, 169:17, 169:25, 170:5, 170:7, 171:6, 171:9, 171:20, 171:23, 172:2, 172:7, 173:14, 182:17, 187:14, 188:4,</p>				

190:12, 190:19, 190:23, 191:9, 191:15, 191:19, 191:21, 191:22, 196:6, 196:8, 197:18, 201:10, 201:24, 203:8, 205:23, 205:24, 216:15, 224:15, 231:7, 239:5, 248:13 scenes [5] - 187:7, 187:10, 189:14, 233:25, 234:3 scheme [2] - 57:24, 57:25 School [27] - 18:22, 20:11, 26:3, 28:20, 29:1, 29:3, 29:6, 31:13, 34:1, 41:7, 46:1, 67:20, 69:10, 147:23, 149:12, 152:17, 157:10, 157:13, 157:19, 166:9, 168:14, 171:11, 182:19, 190:9, 197:8, 198:10, 198:14 school [7] - 59:19, 59:20, 187:2, 187:4, 187:6, 187:25, 188:16 schools [2] - 186:9, 186:23 science [1] - 185:6 scientific [2] - 208:2, 231:16 screen [8] - 36:24, 55:12, 57:2, 85:12, 122:11, 123:15, 125:11, 246:11 screws [1] - 235:19 search [53] - 48:11, 48:12, 48:13, 48:14, 48:16, 48:19, 48:21, 48:24, 49:10, 50:9, 50:10, 50:11, 50:13, 50:16, 50:21, 51:2, 51:22, 65:1, 65:2, 65:4, 94:1, 119:4, 119:5, 119:14, 119:19, 119:20, 124:16, 125:23, 126:13, 126:25, 127:12, 127:19, 134:6, 138:23, 138:25, 139:1, 139:5, 139:7, 140:2, 140:4, 140:20, 140:22, 141:22, 141:24, 142:2,	239:12, 239:14, 239:19, 239:21, 247:3 searched [5] - 120:16, 125:7, 125:13, 125:14, 126:9 searches [6] - 49:7, 50:20, 51:2, 52:18, 92:3, 129:5 searching [2] - 124:20, 126:2 seat [6] - 17:18, 80:16, 80:18, 109:5, 109:19, 160:23 seated [10] - 13:1, 43:12, 44:25, 70:11, 110:19, 143:15, 143:22, 184:10, 184:17, 200:11 seats [1] - 12:18 second [14] - 19:25, 43:20, 114:19, 114:23, 126:13, 136:16, 148:5, 148:7, 149:5, 149:7, 159:1, 169:11, 206:10, 206:19 secondary [10] - 48:19, 50:9, 50:10, 50:11, 50:16, 116:3, 116:5, 124:16, 137:8, 244:13 secondhand [1] - 23:22 section [1] - 108:1 secure [4] - 159:12, 160:12, 160:15, 175:12 secured [2] - 159:7, 160:15 see [151] - 19:4, 19:5, 20:13, 20:14, 21:11, 21:12, 22:2, 22:19, 24:17, 24:23, 25:2, 25:4, 28:9, 28:11, 28:12, 28:13, 29:14, 30:23, 32:5, 32:20, 33:4, 33:15, 35:15, 35:18, 36:2, 38:18, 38:25, 39:17, 39:18, 40:4, 40:7, 46:24, 47:9, 51:13, 52:22, 55:16, 57:1, 57:5, 60:19, 60:22, 61:16, 61:20, 61:24, 62:21, 67:24, 73:12, 76:22, 77:9, 78:20, 80:24, 81:17, 81:18, 82:20, 83:18, 84:4, 85:3, 85:20, 85:22, 87:7,	87:21, 90:10, 90:25, 92:21, 92:24, 93:22, 94:2, 94:5, 98:5, 98:20, 100:13, 101:12, 104:5, 115:19, 118:4, 119:24, 120:21, 121:5, 123:4, 126:24, 127:4, 127:5, 127:6, 127:22, 130:13, 130:23, 131:8, 133:13, 135:11, 136:25, 150:23, 153:9, 154:12, 155:12, 156:7, 162:20, 166:20, 177:7, 196:21, 197:6, 210:20, 211:14, 213:12, 213:15, 214:10, 215:3, 215:9, 218:24, 220:1, 220:8, 222:5, 222:6, 222:17, 222:19, 222:21, 223:1, 223:4, 223:6, 226:16, 226:18, 226:20, 227:2, 228:16, 228:24, 229:1, 231:12, 231:19, 231:23, 232:21, 233:10, 234:4, 234:6, 234:7, 234:8, 234:16, 235:1, 235:15, 237:8, 237:22, 238:1, 238:21, 240:12, 244:18, 244:24, 246:11, 247:20, 247:25, 249:19 seeing [7] - 20:17, 21:5, 51:24, 77:13, 105:21, 215:6, 216:1 seem [1] - 173:10 selection [1] - 211:12 self [1] - 23:16 self-contained [1] - 23:16 sense [1] - 129:9 sent [2] - 116:3, 149:7 separate [5] - 25:8, 242:10, 242:17, 242:23, 242:24 sequence [1] - 136:15 Sergeant [12] - 146:4, 150:7, 150:16, 151:1, 163:18, 164:4, 170:4,	170:22, 181:2, 181:9, 182:14 sergeant [1] - 146:16 series [1] - 186:8 serious [1] - 169:23 SERPA [2] - 112:15, 112:18 served [1] - 14:4 serves [1] - 15:17 Service [1] - 185:16 service [25] - 13:13, 14:6, 15:11, 21:14, 35:25, 36:11, 37:12, 60:10, 60:12, 69:7, 74:2, 83:3, 113:1, 119:15, 119:22, 195:25, 196:4, 217:6, 221:22, 221:23, 223:20, 226:4, 226:5, 231:8 services [3] - 13:16, 14:9, 38:11 set [2] - 182:3, 208:5 seven [4] - 65:14, 146:3, 167:2, 185:10 several [3] - 92:3, 159:24, 188:20 shade [1] - 122:19 Shady [1] - 67:7 shape [1] - 100:20 sharp [1] - 18:19 sheet [4] - 27:8, 205:1, 205:3 Sheetrock [10] - 83:7, 83:11, 87:19, 91:21, 93:16, 93:24, 94:9, 127:5, 127:7, 217:2 sheets [4] - 33:18, 83:10, 235:14, 235:15 Sheriff's [1] - 55:23 shift [8] - 16:3, 16:4, 16:8, 38:8, 71:7, 113:4, 117:13 shifts [4] - 16:7, 16:9, 16:10, 58:18 shirt [4] - 162:17, 163:8, 163:11, 163:12 shoes [1] - 163:9 short [2] - 163:11, 163:12 short-sleeve [2] - 163:11, 163:12 shortly [2] - 141:17, 180:12 shot [2] - 20:18, 220:25 shovels [1] - 238:13 show [45] - 25:19,	26:10, 27:3, 28:19, 28:21, 31:2, 32:24, 33:7, 33:20, 36:25, 40:10, 41:1, 42:9, 42:13, 47:23, 52:21, 57:1, 57:19, 87:9, 89:23, 93:3, 100:24, 116:11, 118:7, 118:10, 121:20, 124:11, 125:12, 128:13, 131:11, 134:21, 135:6, 135:22, 164:17, 171:15, 196:16, 197:15, 207:25, 210:21, 214:1, 214:13, 223:2, 227:1, 242:7 Show [1] - 130:21 showed [2] - 105:2, 152:9 shower [2] - 233:21, 234:5 showing [6] - 84:18, 101:25, 207:1, 215:13, 216:10, 216:11 shows [4] - 74:8, 80:6, 103:25, 222:2 shrinks [1] - 94:13 sic [6] - 51:22, 55:19, 56:5, 87:15, 91:23, 210:7 side [74] - 21:12, 21:25, 22:2, 22:4, 24:6, 24:12, 24:16, 24:18, 24:20, 24:25, 28:24, 29:22, 37:10, 39:18, 40:5, 45:7, 47:3, 76:8, 76:21, 78:12, 78:17, 80:11, 81:16, 83:18, 90:17, 91:6, 98:1, 98:2, 98:7, 98:8, 98:9, 98:11, 98:17, 103:15, 104:22, 105:7, 105:15, 109:15, 121:25, 123:7, 126:2, 129:20, 135:22, 137:10, 139:14, 139:16, 142:6, 157:16, 160:1, 167:12, 167:15, 193:6, 193:11, 194:11, 195:14, 209:18, 211:9, 212:15, 218:13, 222:9, 226:14, 228:14, 231:19,
--	---	---	---	---

233:13, 237:7, 240:23, 243:2, 243:3, 246:13 sides [11] - 12:4, 21:11, 21:14, 21:22, 22:18, 44:13, 98:5, 139:14, 184:4, 200:21, 210:1 siding [11] - 63:9, 67:25, 88:20, 210:25, 211:1, 211:3, 237:14, 237:22, 237:24 sign [4] - 34:21, 67:3, 164:13, 181:11 signature [11] - 80:6, 167:11, 167:12, 167:13, 167:15, 167:18, 177:22, 178:1, 178:7, 178:10 signed [7] - 167:13, 167:20, 181:6, 181:13, 181:16, 181:20, 239:20 significant [2] - 36:8, 69:3 signs [1] - 186:21 similar [1] - 202:17 single [3] - 46:9, 83:5, 221:5 sit [2] - 17:17, 161:17 site [1] - 186:24 sits [1] - 17:19 sitting [2] - 153:6, 154:7 situation [5] - 62:12, 76:25, 80:7, 148:15, 155:1 six [4] - 65:19, 112:8, 167:2, 186:11 size [16] - 21:1, 21:3, 21:22, 23:19, 27:10, 29:11, 40:8, 46:6, 72:17, 72:20, 80:20, 98:19, 109:4, 124:21, 197:12, 214:6 size-up [12] - 21:1, 21:3, 21:22, 23:19, 29:11, 40:8, 46:6, 72:17, 72:20, 80:20, 98:19, 109:4 slash [1] - 17:21 sleeping [1] - 45:21 sleeve [3] - 163:10, 163:11, 163:12 slide [2] - 32:3, 33:19 slippery [1] - 33:19 slow [1] - 151:16 small [8] - 66:6, 66:11,	124:11, 129:20, 135:16, 135:18, 174:21, 233:2 smaller [3] - 27:10, 57:1, 197:12 smoke [46] - 19:5, 20:13, 30:25, 35:7, 37:21, 38:1, 62:16, 62:22, 65:5, 66:9, 76:23, 77:7, 77:13, 77:16, 78:17, 79:3, 87:11, 90:20, 92:19, 98:1, 98:6, 101:23, 103:13, 108:25, 116:21, 117:9, 119:8, 119:11, 120:12, 120:20, 121:2, 123:11, 130:3, 149:22, 192:11, 194:15, 194:17, 218:8, 220:22, 228:11, 229:4, 230:7, 230:11, 230:13 smoke-wise [1] - 92:19 smoked [1] - 222:24 smoldering [5] - 66:4, 66:5, 68:21, 69:9, 118:17 so.. [2] - 63:21, 199:12 soaked [1] - 245:20 socks [1] - 153:15 soffit [1] - 211:4 soft [1] - 220:1 soften [3] - 216:7, 220:3, 220:7 solid [5] - 80:8, 80:9, 103:8, 118:7, 227:17 solution [1] - 68:20 someone [7] - 100:25, 107:23, 153:1, 163:23, 176:3, 176:6, 178:3 sometimes [4] - 23:6, 115:1, 202:15, 240:13 somewhat [2] - 151:16, 222:6 somewhere [4] - 49:21, 61:20, 174:18, 190:6 soon [3] - 82:17, 179:22, 182:18 soot [2] - 218:8, 220:22 sooted [1] - 222:24 sorry [18] - 14:21, 26:8, 27:25, 32:10, 42:11, 43:19, 53:24,	86:13, 116:4, 126:11, 132:22, 133:3, 137:24, 166:3, 177:3, 180:13, 208:13, 215:4 sort [18] - 96:13, 102:21, 105:25, 106:2, 108:22, 140:18, 176:1, 176:7, 180:8, 188:6, 188:19, 191:12, 193:20, 211:25, 212:11, 214:18, 228:24, 245:10 sorts [1] - 182:5 sound [2] - 141:5, 191:16 sounds [2] - 56:17, 91:17 source [4] - 108:2, 212:12, 221:15, 229:11 sources [1] - 212:1 south [6] - 108:1, 159:23, 194:25, 226:11, 229:16, 243:2 southeast [5] - 195:6, 232:20, 236:23, 241:16, 242:20 southside [3] - 195:5, 195:20, 228:15 southwest [8] - 193:14, 193:15, 195:8, 236:19, 240:17, 241:4, 241:23, 242:16 space [18] - 48:16, 127:9, 213:7, 213:21, 214:4, 214:6, 214:23, 215:2, 217:8, 217:9, 217:12, 218:4, 218:7, 218:10, 218:11, 237:4, 238:8 spaces [2] - 91:21, 177:2 speakers [1] - 17:1 speaking [1] - 228:6 Special [14] - 183:19, 184:12, 193:4, 197:5, 210:18, 212:6, 213:23, 215:19, 217:15, 225:5, 226:10, 231:11, 233:22, 245:2 special [4] - 115:8, 185:12, 186:5, 244:5	specialized [2] - 186:12, 186:15 specific [3] - 186:17, 188:4, 202:13 specifically [6] - 16:3, 98:4, 177:4, 186:25, 202:23, 209:14 specifics [1] - 190:5 spelled [1] - 178:3 spelling [2] - 176:19, 176:22 spent [1] - 65:16 split [1] - 23:23 spontaneously [1] - 228:3 spot [4] - 181:20, 202:23, 220:21, 247:8 spots [10] - 66:6, 91:22, 91:23, 139:8, 192:10, 192:13, 192:22, 192:24, 193:1, 231:6 spread [3] - 73:13, 212:25, 217:12 springs [5] - 121:14, 122:23, 128:3, 238:10, 240:21 squad [3] - 15:9, 18:2, 113:12 square [3] - 112:8, 220:14, 240:19 staffed [2] - 15:12, 60:13 stage [2] - 73:2, 74:20 stages [3] - 73:11, 74:9, 126:1 stain [1] - 218:8 stand [2] - 33:16, 51:16 standard [1] - 162:12 standing [7] - 23:2, 23:4, 30:21, 38:1, 76:24, 117:3, 194:21 stands [2] - 112:16, 166:6 start [17] - 20:17, 25:11, 29:23, 39:18, 48:10, 57:13, 116:24, 119:19, 165:25, 176:13, 177:11, 179:21, 206:19, 206:22, 210:18, 211:8 started [14] - 14:11, 48:12, 58:8, 58:15, 86:6, 94:3, 117:1, 125:1, 125:18, 138:11, 148:19, 156:8, 167:6, 180:16	starting [5] - 28:24, 107:24, 180:4, 186:18, 193:10 starts [6] - 16:10, 73:9, 73:21, 73:22, 85:7, 156:17 starved [1] - 102:1 state [8] - 58:11, 94:11, 111:18, 189:1, 189:21, 206:4, 208:15, 209:8 State [39] - 12:8, 12:19, 13:2, 13:24, 14:17, 34:8, 41:12, 42:8, 44:3, 53:4, 55:11, 55:18, 55:21, 56:11, 56:13, 70:5, 70:12, 89:12, 110:12, 111:19, 123:18, 131:20, 143:16, 145:14, 181:1, 183:18, 184:11, 184:12, 184:18, 198:17, 206:13, 207:12, 207:17, 207:21, 207:24, 208:6, 248:22, 250:5 STATE [1] - 250:1 State's [202] - 12:6, 25:20, 25:23, 26:19, 26:22, 26:23, 27:4, 27:5, 27:7, 27:9, 27:10, 27:19, 27:23, 28:1, 28:19, 28:20, 29:5, 29:9, 31:3, 31:20, 32:18, 32:20, 33:1, 33:5, 33:21, 34:13, 34:15, 34:16, 34:20, 34:24, 35:4, 35:21, 36:24, 37:1, 37:6, 37:8, 37:20, 38:4, 38:5, 38:16, 38:18, 38:22, 38:23, 39:1, 39:16, 39:18, 40:4, 40:21, 40:23, 41:2, 41:11, 41:18, 42:21, 43:15, 44:19, 45:1, 45:16, 46:4, 46:24, 47:25, 48:4, 50:18, 51:9, 51:16, 53:10, 54:14, 54:21, 56:19, 56:21, 57:1, 57:2, 58:1, 76:5, 76:7, 78:11, 84:19, 84:23, 85:14, 85:18, 86:2, 87:9, 87:21, 88:15, 88:17, 89:3, 89:13, 89:17, 89:19, 89:24, 90:6, 90:14,
--	--	---	---	--

<p>93:4, 93:13, 93:22, 94:7, 102:12, 121:21, 121:24, 122:12, 123:1, 123:5, 123:15, 123:18, 124:5, 124:12, 124:14, 125:12, 128:15, 128:16, 128:20, 130:6, 130:22, 131:20, 132:6, 132:21, 132:24, 133:8, 133:21, 133:23, 134:21, 135:3, 164:17, 164:18, 165:9, 165:12, 165:18, 165:20, 165:22, 181:3, 193:5, 196:17, 197:16, 198:17, 201:7, 201:11, 204:18, 205:2, 206:2, 206:17, 210:10, 210:19, 210:23, 211:9, 211:17, 211:20, 212:13, 214:24, 214:25, 215:1, 215:14, 215:17, 215:18, 215:21, 217:15, 217:18, 218:14, 218:23, 219:16, 220:25, 221:24, 222:8, 223:1, 223:19, 223:25, 224:4, 224:9, 224:17, 224:21, 225:1, 225:12, 225:23, 225:25, 226:14, 226:16, 226:25, 228:8, 228:13, 229:21, 231:11, 231:24, 232:12, 232:17, 232:21, 233:6, 234:17, 235:25, 236:14, 236:17, 236:21, 239:2, 239:23, 240:14, 240:20, 240:23, 244:13, 245:7, 245:18, 246:17, 247:2, 247:25 statement [25] - 156:8, 161:3, 161:10, 161:22, 163:13, 164:10, 164:13, 164:15, 164:21, 164:25, 165:8, 166:2,</p>	<p>166:18, 167:3, 167:5, 167:6, 167:20, 167:25, 168:3, 173:19, 175:15, 175:22, 175:25, 182:4 statements [2] - 162:13, 175:24 States [2] - 185:16, 186:16 Station [2] - 72:5, 72:8 station [28] - 16:25, 18:24, 19:2, 20:5, 38:9, 58:25, 66:22, 71:9, 71:12, 72:2, 112:23, 117:13, 141:12, 141:18, 155:5, 155:24, 156:7, 156:10, 156:14, 157:5, 157:11, 157:21, 157:25, 158:4, 158:17, 158:20, 173:19, 182:22 status [2] - 15:13, 60:14 stay [3] - 68:23, 73:13, 119:18 stayed [2] - 68:6, 160:15 staying [1] - 194:18 Steele [26] - 163:19, 163:20, 164:6, 164:7, 180:12, 180:14, 182:13, 183:20, 184:13, 184:14, 184:23, 193:4, 196:16, 197:6, 201:3, 203:20, 210:18, 212:6, 213:23, 215:20, 217:15, 225:6, 226:10, 231:11, 233:22, 245:2 STEELE [1] - 184:19 step [9] - 28:6, 36:20, 43:9, 70:3, 110:8, 115:11, 134:9, 134:12, 183:16 stepped [1] - 83:13 steps [3] - 156:9, 160:14, 208:1 Steve [2] - 183:20, 184:13 STEVE [1] - 184:19 still [44] - 21:1, 31:4, 31:8, 35:6, 35:8, 37:21, 38:2, 54:21, 65:5, 72:17, 77:7,</p>	<p>82:21, 87:2, 118:17, 119:10, 120:12, 120:20, 124:19, 124:22, 137:25, 138:24, 139:7, 140:10, 140:25, 142:10, 149:11, 150:11, 151:6, 151:7, 166:25, 183:14, 192:3, 192:10, 192:11, 192:12, 194:18, 215:5, 215:6, 220:10, 224:17, 232:2, 233:3, 235:1, 236:6 stint [1] - 185:19 stipulate [1] - 206:21 stipulation [4] - 207:10, 207:18, 207:20 stocking [1] - 129:20 stockings [6] - 125:2, 129:3, 129:13, 129:15, 134:3, 134:6 stop [3] - 34:21, 188:9, 207:2 stopped [3] - 22:8, 81:17, 166:21 stopping [1] - 249:12 storage [2] - 193:19, 230:22 straight [2] - 93:5, 109:1 streamer [1] - 191:24 street [5] - 29:6, 34:22, 67:20, 71:25, 152:16 Street [3] - 157:15, 250:23 strictly [1] - 207:21 strike [4] - 54:24, 104:12, 172:20, 201:21 strikes [1] - 249:5 stripes [1] - 35:15 structure [50] - 19:3, 19:11, 19:17, 21:8, 21:15, 21:23, 23:11, 24:7, 24:9, 24:13, 24:24, 25:5, 26:2, 27:13, 27:17, 29:15, 34:1, 35:12, 37:10, 37:22, 37:24, 38:16, 39:17, 41:6, 45:18, 57:20, 72:7, 72:21, 72:22, 77:23, 81:8, 88:21, 91:7, 97:13, 98:6, 100:15, 100:22, 101:17,</p>	<p>120:2, 191:5, 195:15, 195:20, 210:21, 212:8, 215:21, 217:13, 221:12, 231:21, 237:20, 237:25 strung [1] - 191:23 stubborn [1] - 68:21 stud [1] - 222:10 studs [2] - 222:11, 222:14 stuff [17] - 39:22, 48:17, 66:11, 66:13, 79:24, 80:14, 82:13, 95:10, 102:16, 125:2, 126:9, 126:10, 127:8, 176:22, 220:16, 230:7, 234:5 stuff's [1] - 212:21 stuffed [1] - 219:1 styled [1] - 250:10 subhuman [1] - 130:18 subject [9] - 69:18, 69:19, 109:25, 142:22, 183:11, 183:14, 205:7, 205:15, 208:23 Sublett [4] - 20:16, 29:12, 157:14, 157:17 subsequent [3] - 50:20, 52:18, 58:7 successfully [1] - 145:4 suit [1] - 153:14 sun [1] - 248:10 sun's [1] - 38:15 super [1] - 101:23 superheated [6] - 77:23, 77:24, 103:14, 212:24, 213:14, 215:10 supervise [3] - 146:2, 146:8, 171:5 supervised [2] - 66:12, 146:12 supervisor [1] - 136:22 supply [3] - 25:10, 39:1, 195:21 support [1] - 14:18 suppress [1] - 31:12 Suppress [3] - 50:22, 52:17, 126:14 suppressed [3] - 65:8, 66:3, 138:4 suppressing [2] - 91:7, 142:8</p>	<p>suppression [16] - 65:17, 68:3, 80:2, 95:8, 99:1, 104:20, 105:24, 137:25, 139:7, 139:11, 140:5, 142:10, 151:6, 194:9, 217:3, 217:13 surface [2] - 220:15, 228:18 surmise [1] - 242:9 surprise [2] - 69:6, 69:11 surrounding [1] - 219:23 survivability [1] - 234:15 survive [1] - 235:12 surviving [1] - 139:20 susceptible [1] - 214:20 suspect [3] - 174:6, 176:3, 247:11 suspects [2] - 162:13, 181:24 suspensions [1] - 173:15 suspicious [2] - 25:7, 172:21 sustain [3] - 42:23, 207:22, 208:4 sustainable [5] - 117:5, 117:7, 139:16, 139:22, 141:25 sustained [4] - 42:16, 44:12, 45:3, 92:13 sweep [1] - 48:17 switch [3] - 35:1, 177:11, 212:4 switched [1] - 217:16 switches [1] - 221:14 swords [1] - 245:5 sworn [12] - 12:25, 13:5, 69:20, 70:10, 70:15, 110:18, 110:22, 143:21, 144:1, 169:6, 184:16, 184:20 system [4] - 21:19, 71:24, 221:11, 221:16</p>
T				
<p>tab [1] - 203:15 table [3] - 153:16, 179:10, 193:6 tackle [1] - 116:23 tall [2] - 124:23</p>				

<p>tan [4] - 49:22, 109:10, 109:14, 153:14</p> <p>tank [1] - 23:17</p> <p>tape [3] - 42:24, 177:16, 191:23</p> <p>taped [1] - 212:16</p> <p>Tarrant [7] - 18:23, 26:4, 46:2, 65:24, 189:3, 190:21, 250:4</p> <p>TARRANT [1] - 250:2</p> <p>task [7] - 48:24, 79:23, 188:20, 188:23, 189:5, 189:7, 239:11</p> <p>Task [1] - 188:25</p> <p>tasks [1] - 140:6</p> <p>Taylor [1] - 250:3</p> <p>TAYLOR [1] - 250:21</p> <p>team [1] - 76:16</p> <p>Team [1] - 189:11</p> <p>teams [2] - 51:22, 189:11</p> <p>tear [3] - 79:24, 91:22</p> <p>technical [1] - 86:9</p> <p>technique [1] - 187:5</p> <p>telephone [2] - 147:10, 148:3</p> <p>television [1] - 220:10</p> <p>temperature [14] - 73:3, 73:21, 78:2, 78:5, 80:8, 118:9, 220:3, 227:15, 227:19, 227:25, 228:1, 228:2, 228:5, 228:7</p> <p>temperatures [3] - 213:8, 213:11, 227:12</p> <p>ten [8] - 72:14, 117:20, 126:21, 136:4, 138:11, 167:2, 185:21</p> <p>tender [11] - 26:18, 27:19, 31:15, 34:8, 41:10, 52:4, 55:19, 85:13, 123:18, 131:20, 198:20</p> <p>tendered [1] - 198:17</p> <p>tennis [1] - 163:9</p> <p>tent [1] - 40:14</p> <p>term [5] - 77:10, 119:14, 139:2, 139:19, 245:21</p> <p>terminate [1] - 165:3</p> <p>terminology [2] - 97:13, 100:5</p> <p>terms [2] - 19:10, 121:1</p> <p>test [5] - 54:23, 55:1, 133:12, 133:18, 207:9</p>	<p>testified [5] - 13:5, 70:15, 110:22, 144:1, 184:20</p> <p>testify [2] - 189:19, 189:23</p> <p>testimony [25] - 26:6, 26:9, 27:15, 41:4, 50:20, 51:1, 57:21, 69:21, 99:10, 99:16, 102:12, 104:12, 108:15, 110:3, 110:5, 126:12, 137:13, 142:25, 143:2, 143:3, 183:14, 197:13, 198:9, 199:11</p> <p>tetrahedron [4] - 74:5, 74:17, 75:11, 107:20</p> <p>Texas [19] - 13:18, 13:24, 14:18, 18:23, 21:20, 26:4, 46:2, 111:6, 111:19, 145:14, 147:25, 166:8, 166:9, 185:16, 189:21, 248:21, 248:22, 250:5, 250:23</p> <p>TEXAS [2] - 250:1, 250:21</p> <p>text [3] - 149:3, 149:4, 149:8</p> <p>THE [190] - 12:4, 12:8, 12:14, 12:17, 12:21, 12:23, 13:1, 14:21, 14:22, 25:17, 26:22, 27:1, 27:23, 27:25, 28:4, 28:7, 28:10, 31:19, 31:23, 32:10, 32:12, 34:13, 34:19, 35:2, 40:19, 41:12, 41:16, 41:21, 42:7, 42:11, 42:15, 42:19, 42:22, 43:2, 43:4, 43:6, 43:8, 43:12, 43:15, 43:19, 43:20, 43:24, 44:6, 44:10, 44:16, 44:20, 44:23, 44:25, 47:8, 47:20, 50:23, 51:3, 51:5, 52:8, 53:3, 53:6, 53:12, 53:16, 53:19, 53:24, 54:1, 54:8, 54:13, 54:19, 55:8, 56:1, 56:5, 56:9, 56:11, 56:15, 56:19, 56:24, 59:3, 68:13, 69:14, 69:19, 70:1, 70:2, 70:5, 70:7, 70:9, 70:11, 84:17, 85:20, 85:22, 86:1,</p>	<p>86:7, 86:13, 86:20, 86:23, 89:14, 89:17, 89:22, 92:13, 93:2, 95:6, 95:21, 106:17, 108:7, 109:24, 110:2, 110:7, 110:8, 110:10, 110:12, 110:14, 110:16, 110:19, 116:4, 116:5, 121:18, 123:24, 124:2, 124:9, 126:15, 128:12, 131:25, 132:2, 132:20, 132:25, 133:4, 133:6, 133:13, 133:24, 134:11, 136:2, 136:6, 142:19, 142:21, 142:24, 143:5, 143:6, 143:8, 143:12, 143:15, 143:19, 143:22, 153:21, 165:17, 168:24, 175:20, 183:6, 183:9, 183:13, 183:18, 183:23, 184:4, 184:7, 184:10, 184:14, 184:17, 196:15, 198:23, 199:1, 199:3, 199:13, 199:17, 199:23, 200:2, 200:5, 200:7, 200:11, 200:16, 200:21, 200:25, 203:3, 203:11, 203:14, 203:22, 203:24, 204:4, 204:8, 204:14, 206:13, 207:6, 207:19, 208:9, 208:13, 208:19, 209:1, 209:8, 209:17, 209:23, 210:1, 210:4, 210:6, 210:12, 210:15, 249:14, 250:1</p> <p>themselves [2] - 131:6, 206:17</p> <p>then.. [1] - 60:24</p> <p>theory [2] - 188:7, 231:24</p> <p>there.. [1] - 242:10</p> <p>therefore [2] - 170:12, 206:6</p> <p>thermal [20] - 77:3, 79:13, 79:15, 79:16, 80:1, 80:3, 91:25,</p>	<p>106:21, 106:23, 107:12, 117:22, 118:7, 244:7, 246:14, 246:15, 247:9, 247:14, 247:19, 247:21, 247:24</p> <p>thermally [2] - 213:11, 213:18</p> <p>they've [3] - 190:14, 203:8, 227:18</p> <p>They've [1] - 205:10</p> <p>thick [3] - 36:12, 77:8, 240:10</p> <p>thin [1] - 83:5</p> <p>thinking [1] - 125:9</p> <p>third [12] - 19:25, 50:13, 80:3, 92:1, 125:23, 126:12, 126:13, 127:12, 140:22, 207:4, 219:2, 242:24</p> <p>Third [2] - 157:15</p> <p>thoughts [2] - 162:3, 200:14</p> <p>threatening [1] - 81:7</p> <p>three [25] - 16:9, 19:20, 21:10, 21:11, 23:8, 52:22, 74:9, 76:12, 76:15, 79:21, 79:22, 82:5, 82:6, 89:11, 97:9, 97:14, 99:20, 133:9, 160:9, 167:1, 177:23, 189:11</p> <p>three-man [1] - 97:9</p> <p>three-quarter [2] - 76:12, 89:11</p> <p>throughout [10] - 58:19, 95:8, 102:12, 127:18, 137:12, 186:15, 193:1, 196:6, 219:7, 248:8</p> <p>throughs [1] - 237:16</p> <p>thumb [1] - 235:18</p> <p>tie [1] - 153:14</p> <p>tied [1] - 114:8</p> <p>title [1] - 186:7</p> <p>Tobacco [1] - 185:22</p> <p>today [8] - 26:6, 26:9, 57:21, 153:10, 153:12, 165:15, 198:9, 246:12</p> <p>together [5] - 57:13, 63:20, 76:16, 200:14, 234:1</p> <p>tomorrow [1] - 249:19</p> <p>tone [3] - 17:2, 17:4, 17:6</p> <p>toned [3] - 16:21,</p>	<p>16:23, 97:8</p> <p>took [18] - 46:13, 59:23, 68:6, 72:12, 81:20, 86:25, 87:14, 87:25, 100:4, 141:16, 155:12, 161:4, 175:11, 176:16, 187:23, 204:20, 239:19, 239:21</p> <p>tool [2] - 79:19, 79:21</p> <p>tools [2] - 81:21, 86:16</p> <p>top [21] - 15:21, 25:22, 29:8, 30:25, 78:21, 83:7, 93:23, 165:25, 167:22, 177:1, 191:13, 216:25, 221:3, 223:9, 223:15, 223:25, 233:16, 234:24, 236:4, 236:15, 245:3</p> <p>total [2] - 129:23, 234:12</p> <p>totally [4] - 62:10, 62:23, 195:2, 237:9</p> <p>touches [1] - 112:10</p> <p>toward [1] - 19:3</p> <p>towards [5] - 49:11, 156:18, 194:25, 215:2, 236:18</p> <p>towel [1] - 227:7</p> <p>toxins [1] - 38:2</p> <p>toys [4] - 193:19, 211:23, 214:16, 230:16</p> <p>traded [1] - 15:23</p> <p>traffic [8] - 149:16, 150:22, 151:9, 151:16, 168:20, 170:11, 170:12, 171:18</p> <p>trailer [2] - 113:12</p> <p>trained [4] - 18:6, 21:7, 21:20, 174:4</p> <p>training [11] - 24:7, 73:12, 186:6, 186:11, 186:12, 186:14, 186:15, 186:17, 186:19, 186:24, 247:19</p> <p>transcription [1] - 250:6</p> <p>transferred [2] - 185:22, 185:25</p> <p>transpired [1] - 191:1</p> <p>transport [1] - 173:17</p> <p>trash [2] - 47:3, 83:3</p> <p>travel [2] - 189:12, 190:6</p>
--	---	--	---	---

<p>traveled [1] - 190:9</p> <p>Treasury [2] - 186:1, 186:10</p> <p>treating [1] - 168:9</p> <p>tree [2] - 212:14, 216:22</p> <p>trial [4] - 25:22, 57:12, 123:23, 208:25</p> <p>tried [6] - 80:13, 80:14, 81:15, 90:23, 94:2, 109:19</p> <p>trigger [1] - 182:9</p> <p>trim [5] - 57:9, 122:3, 122:6, 122:18, 128:22</p> <p>trip [1] - 47:1</p> <p>truck [19] - 15:9, 17:10, 17:11, 17:13, 17:15, 18:1, 58:22, 61:25, 62:3, 67:19, 113:11, 114:19, 114:22, 114:23, 115:4, 116:6</p> <p>trucks [1] - 15:6</p> <p>true [4] - 123:13, 167:5, 240:9, 250:6</p> <p>truly [2] - 203:7, 250:13</p> <p>try [17] - 21:2, 21:7, 21:10, 21:12, 77:21, 77:22, 80:16, 80:19, 85:11, 98:19, 101:13, 116:23, 117:20, 119:18, 240:25, 247:10</p> <p>trying [13] - 80:18, 88:8, 91:4, 94:16, 113:23, 115:2, 125:3, 138:13, 138:14, 141:25, 155:16, 172:25</p> <p>turn [7] - 19:3, 20:16, 39:13, 101:12, 124:12, 212:3, 230:18</p> <p>turned [2] - 118:18, 230:15</p> <p>turnout [3] - 17:10, 18:15, 106:22</p> <p>TV [3] - 162:7, 219:24, 237:7</p> <p>twin [1] - 95:1</p> <p>two [55] - 15:8, 15:9, 18:8, 23:24, 24:1, 24:5, 25:8, 30:5, 52:10, 54:10, 60:20, 60:22, 71:2, 76:2, 78:15, 83:6, 86:10, 90:1, 90:15, 91:24, 96:18, 97:23, 104:7,</p>	<p>104:9, 104:24, 104:25, 105:2, 105:4, 105:13, 130:24, 131:1, 136:18, 139:9, 157:12, 167:1, 175:24, 175:25, 186:19, 187:2, 187:7, 188:1, 195:10, 195:11, 209:21, 227:22, 241:19, 242:2, 242:10, 242:13, 242:17, 242:20, 242:22, 242:23</p> <p>two-prong [1] - 24:1</p> <p>two-week [1] - 187:2</p> <p>two-year [2] - 186:19, 187:7</p> <p>twofold [1] - 206:3</p> <p>type [13] - 73:17, 93:19, 116:15, 154:23, 162:12, 186:6, 188:2, 192:7, 194:2, 194:24, 220:2, 234:14, 240:10</p> <p>types [1] - 188:10</p> <p>typical [4] - 73:7, 126:20, 247:15</p> <p>typically [1] - 19:16</p>	<p>237:19</p> <p>undetectable [1] - 179:4</p> <p>unheard [1] - 38:14</p> <p>unified [1] - 21:19</p> <p>uniform [1] - 152:24</p> <p>unit [5] - 18:13, 63:13, 76:17, 105:5, 156:18</p> <p>Unit [1] - 31:4</p> <p>United [2] - 185:16, 186:16</p> <p>units [1] - 64:11</p> <p>universal [1] - 115:11</p> <p>universally [1] - 115:6</p> <p>University [1] - 186:25</p> <p>unless [2] - 136:3, 174:24</p> <p>unlocked [1] - 101:13</p> <p>unremarkable [4] - 195:24, 221:17, 221:19, 221:21</p> <p>unsafe [1] - 117:5</p> <p>unsustainable [2] - 139:10, 139:19</p> <p>unusual [1] - 46:24</p> <p>up [105] - 13:20, 17:2, 17:9, 17:12, 18:20, 21:1, 21:3, 21:4, 21:9, 21:22, 22:3, 23:15, 23:19, 24:21, 25:13, 28:15, 29:11, 29:15, 30:7, 31:25, 32:11, 38:15, 40:8, 46:6, 48:25, 49:3, 49:19, 61:2, 63:6, 68:18, 71:25, 72:17, 72:20, 76:2, 76:24, 79:24, 80:20, 83:7, 83:10, 83:14, 84:12, 85:10, 88:12, 88:24, 90:9, 90:23, 91:2, 92:18, 94:13, 96:24, 97:14, 98:12, 98:19, 100:10, 100:24, 109:4, 109:13, 109:14, 109:18, 111:5, 114:9, 114:18, 117:3, 117:21, 118:9, 120:2, 121:8, 121:13, 123:7, 123:15, 124:11, 124:13, 124:20, 126:1, 128:8, 130:19, 130:20, 134:16, 134:25, 138:20, 139:9, 152:9, 154:11, 164:3, 164:24, 171:15, 171:17,</p>	<p>191:25, 193:5, 200:8, 201:12, 206:22, 206:24, 209:18, 209:21, 211:13, 213:4, 220:25, 226:7, 233:20, 235:17, 246:13</p> <p>upper [8] - 90:10, 121:25, 123:7, 129:1, 135:2, 135:8, 244:2, 244:6</p> <p>upright [1] - 121:11</p> <p>ups [1] - 192:12</p> <p>upset [1] - 28:15</p> <p>upstairs [1] - 183:21</p> <p>usable [1] - 118:6</p> <p>useful [1] - 118:4</p> <p>UTA [1] - 185:5</p> <p>utilities [1] - 39:13</p> <p>utility [3] - 15:9, 39:9, 80:25</p> <p>utilized [1] - 193:19</p>	<p>32:8, 32:14, 35:7, 35:9, 61:3, 193:13, 193:17, 193:21, 194:8, 194:24, 195:1, 196:2, 211:2</p> <p>verbally [1] - 172:5</p> <p>verify [2] - 217:4, 247:10</p> <p>versus [1] - 247:12</p> <p>VHS [1] - 162:7</p> <p>victim [11] - 92:7, 92:24, 93:8, 93:10, 93:23, 131:6, 140:8, 140:9, 140:10, 174:8, 247:24</p> <p>victims [5] - 48:15, 92:4, 129:10, 142:1, 206:22</p> <p>video [10] - 31:7, 78:8, 78:12, 78:14, 78:19, 161:24, 162:12, 163:5, 177:7, 237:7</p> <p>videos [1] - 78:22</p> <p>view [11] - 21:7, 45:10, 61:19, 85:6, 215:1, 215:22, 216:9, 221:3, 221:25, 224:5, 233:8</p> <p>viewed [1] - 162:6</p> <p>vinyl [1] - 88:20</p> <p>visibility [3] - 84:7, 87:1, 121:3</p> <p>visibility-wise [1] - 121:3</p> <p>visible [1] - 64:15</p> <p>vision [2] - 105:25, 142:14</p> <p>visit [4] - 166:19, 166:22, 171:24, 173:19</p> <p>visiting [1] - 172:16</p> <p>visual [1] - 83:20</p> <p>voice [4] - 28:15, 31:25, 124:13, 134:16</p> <p>void [1] - 91:21</p> <p>voir [4] - 131:24, 199:13, 199:19, 201:4</p> <p>VOIR [2] - 132:3, 201:5</p> <p>volatile [1] - 212:1</p> <p>volts [2] - 81:5, 81:6</p> <p>volume [2] - 211:24, 250:9</p> <p>voluntarily [2] - 165:8, 167:25</p> <p>volunteer [5] - 14:10, 14:11, 59:9, 59:10, 59:16</p>
V				
<p>Valentich [2] - 146:14, 150:8</p> <p>value [1] - 55:2</p> <p>van [1] - 153:6</p> <p>various [3] - 114:15, 189:1, 202:1</p> <p>vehicle [10] - 36:3, 46:19, 154:8, 156:17, 156:18, 156:20, 157:1, 173:23, 174:3, 182:8</p> <p>vehicles [2] - 40:1, 115:6</p> <p>veneer [1] - 88:24</p> <p>vent [1] - 233:11</p> <p>vented [11] - 74:11, 75:3, 75:4, 98:15, 194:7, 194:10, 194:15, 194:23, 195:9, 210:24, 231:20</p> <p>ventilate [1] - 77:21</p> <p>ventilated [5] - 72:23, 79:5, 101:24, 123:11, 229:17</p> <p>ventilating [1] - 101:22</p> <p>ventilation [7] - 107:19, 120:1, 229:10, 229:13, 231:20, 231:24, 232:3</p> <p>venting [18] - 21:24, 21:25, 29:16, 30:25,</p>				
U				
<p>ultimately [2] - 182:14, 232:20</p> <p>unable [3] - 90:24, 98:15, 103:11</p> <p>unanimous [1] - 248:18</p> <p>uncharged [1] - 77:16</p> <p>unclear [2] - 102:20, 105:12</p> <p>unconsumed [1] - 77:17</p> <p>undamaged [2] - 213:15, 236:7</p> <p>under [17] - 48:17, 64:11, 64:19, 71:21, 75:20, 118:11, 118:15, 162:2, 168:4, 186:2, 188:12, 208:5, 208:7, 208:22, 238:8, 240:11, 244:19</p> <p>underneath [2] - 167:17, 245:1</p> <p>understood [3] - 137:12, 172:24,</p>				

W				
<p>wait [2] - 118:21, 166:20</p> <p>walk [21] - 22:17, 28:22, 28:24, 31:11, 36:19, 40:13, 46:5, 46:25, 61:9, 64:21, 76:24, 92:15, 124:10, 158:25, 159:4, 159:6, 191:4, 192:5, 193:9, 231:15, 239:6</p> <p>walk-around [10] - 22:17, 28:22, 28:24, 31:11, 36:19, 40:13, 46:5, 46:25, 61:9, 193:9</p> <p>walk-through [3] - 64:21, 191:4, 239:6</p> <p>walked [7] - 40:8, 98:18, 116:20, 156:13, 160:4, 160:22, 161:23</p> <p>walking [4] - 39:16, 116:15, 119:8, 156:18</p> <p>wall [27] - 73:18, 90:17, 91:20, 91:22, 103:8, 117:21, 126:7, 127:7, 138:12, 212:16, 213:17, 215:3, 217:10, 220:9, 220:14, 220:19, 220:20, 220:21, 222:10, 224:8, 227:4, 229:1, 231:19, 231:25, 239:4, 241:21</p> <p>wallboard [7] - 222:14, 222:15, 222:18, 232:8, 235:6, 235:11, 237:23</p> <p>walls [3] - 68:24, 126:8, 214:19</p> <p>Walmarts [1] - 166:23</p> <p>warrant [5] - 239:12, 239:14, 239:19, 239:22, 247:3</p> <p>wash [1] - 227:7</p> <p>washer [1] - 224:2</p> <p>watch [2] - 78:12, 226:3</p> <p>water [23] - 15:18, 36:22, 68:20, 75:8, 82:8, 91:23, 94:12, 94:14, 94:19, 114:19, 114:21,</p>	<p>114:24, 115:3, 117:16, 138:14, 235:22, 236:1, 236:6, 236:8, 236:9, 236:15</p> <p>Watson [4] - 99:3, 99:4, 99:5, 99:14</p> <p>ways [4] - 21:12, 140:7, 227:17, 227:22</p> <p>wear [2] - 18:17, 23:17</p> <p>wearing [3] - 37:22, 153:13, 153:14</p> <p>weather [6] - 108:10, 108:12, 154:24, 155:5, 156:15, 195:25</p> <p>Weatherford [5] - 144:15, 145:3, 148:22, 148:24, 149:2</p> <p>weatherhead [1] - 38:25</p> <p>weathervane [1] - 36:4</p> <p>week [2] - 78:7, 187:2</p> <p>weekend [3] - 196:10, 196:11, 197:11</p> <p>weeks [1] - 188:1</p> <p>welcome [1] - 156:20</p> <p>west [15] - 18:25, 109:2, 152:16, 193:11, 193:14, 215:3, 215:23, 218:4, 218:11, 224:5, 224:8, 226:19, 236:19, 242:21, 244:17</p> <p>West [1] - 250:23</p> <p>wet [2] - 66:11, 108:18</p> <p>wheel [1] - 17:19</p> <p>white [9] - 45:15, 80:8, 80:9, 118:8, 129:19, 129:20, 153:15, 205:1</p> <p>whoever's [1] - 101:1</p> <p>wide [1] - 96:8</p> <p>willing [1] - 174:3</p> <p>Wilson [6] - 70:6, 70:7, 70:19, 70:21, 86:24, 240:25</p> <p>WILSON [1] - 70:14</p> <p>wind [4] - 108:22, 108:23, 109:4, 109:8</p> <p>window [37] - 29:17, 29:18, 32:17, 51:13, 51:20, 61:20, 61:22, 61:25, 63:8, 81:22, 88:18, 88:25, 89:2, 89:7, 89:24, 94:19,</p>	<p>193:17, 193:22, 194:2, 194:3, 194:14, 194:18, 194:23, 194:24, 195:2, 195:6, 195:8, 210:25, 215:3, 215:4, 215:5, 215:20, 237:8, 237:9, 237:10</p> <p>windows [27] - 75:6, 81:24, 90:1, 90:3, 95:1, 98:10, 98:12, 98:20, 101:9, 104:19, 104:23, 104:24, 104:25, 105:3, 105:4, 105:7, 149:23, 193:14, 194:7, 194:8, 194:13, 194:17, 195:11, 229:17, 240:23, 240:24, 244:17</p> <p>wire [3] - 36:12, 36:14, 36:15</p> <p>wise [4] - 92:19, 121:3, 123:8, 170:24</p> <p>wish [1] - 123:25</p> <p>withdraw [1] - 54:24</p> <p>withstand [1] - 235:8</p> <p>WITNESS [9] - 14:22, 32:12, 70:1, 110:7, 110:10, 116:5, 143:5, 203:22, 250:16</p> <p>witness [57] - 12:12, 12:19, 12:25, 25:15, 33:16, 40:17, 47:18, 56:22, 59:2, 68:12, 69:13, 70:4, 70:5, 70:10, 84:15, 86:4, 86:22, 93:1, 95:20, 106:16, 108:6, 109:22, 110:11, 110:12, 110:15, 110:18, 121:16, 128:10, 132:1, 134:9, 134:14, 136:1, 142:21, 143:3, 143:7, 143:16, 143:21, 161:10, 162:13, 162:25, 164:21, 166:1, 167:10, 167:20, 168:10, 168:22, 173:8, 175:22, 175:25, 176:7, 181:13, 183:4, 183:17, 183:18, 184:11, 184:16, 199:14</p>	<p>Witness [3] - 12:22, 70:8, 143:18</p> <p>witnessed [1] - 181:18</p> <p>witnesses [5] - 12:9, 69:20, 69:22, 110:6, 167:11</p> <p>woman's [1] - 223:25</p> <p>wondering [1] - 101:16</p> <p>wood [13] - 81:24, 88:20, 105:2, 127:5, 212:15, 214:19, 214:20, 218:24, 218:25, 222:22, 222:24, 223:3, 227:17</p> <p>wood-based [1] - 212:15</p> <p>wooded [1] - 45:11</p> <p>wooden [3] - 210:25, 244:14, 245:5</p> <p>word [8] - 29:9, 140:13, 172:7, 179:4, 206:6, 206:9</p> <p>words [2] - 97:15, 202:14</p> <p>works [3] - 46:17, 107:19, 170:17</p> <p>world [1] - 218:22</p> <p>Worth [4] - 112:10, 114:4, 115:7, 250:23</p> <p>Worthy [15] - 30:12, 61:6, 62:13, 67:17, 67:20, 146:11, 150:7, 152:20, 152:22, 153:25, 154:2, 170:6, 172:3, 172:17</p> <p>Worthy's [1] - 36:3</p> <p>write [7] - 58:6, 58:7, 99:13, 161:15, 161:19, 163:13, 178:1</p> <p>writing [9] - 161:17, 161:22, 163:16, 176:18, 176:19, 177:21, 178:4, 203:13, 250:8</p> <p>written [4] - 164:11, 167:3, 167:8, 167:21</p> <p>wrote [1] - 99:14</p>	<p>37:14, 138:21, 138:22</p> <p>year [4] - 144:24, 186:9, 186:19, 187:7</p> <p>years [15] - 14:5, 14:8, 24:14, 69:6, 70:23, 71:1, 101:5, 144:10, 144:18, 144:23, 145:17, 145:19, 185:10, 185:13, 244:5</p> <p>yelling [2] - 22:14, 22:24</p> <p>yellow [5] - 76:21, 211:10, 220:13, 224:13, 233:1</p> <p>you-all [3] - 96:9, 172:19, 173:17</p> <p>yourself [9] - 13:8, 70:18, 110:25, 154:9, 180:7, 183:25, 185:3, 200:9, 216:17</p> <p>yourselves [1] - 249:17</p>
				Z
			<p>Y</p> <p>y'all [10] - 63:13, 64:18, 65:14, 65:19, 66:10, 66:16, 68:5, 79:24, 100:21, 158:19</p> <p>yard [4] - 35:19,</p>	<p>zero [1] - 84:9</p>